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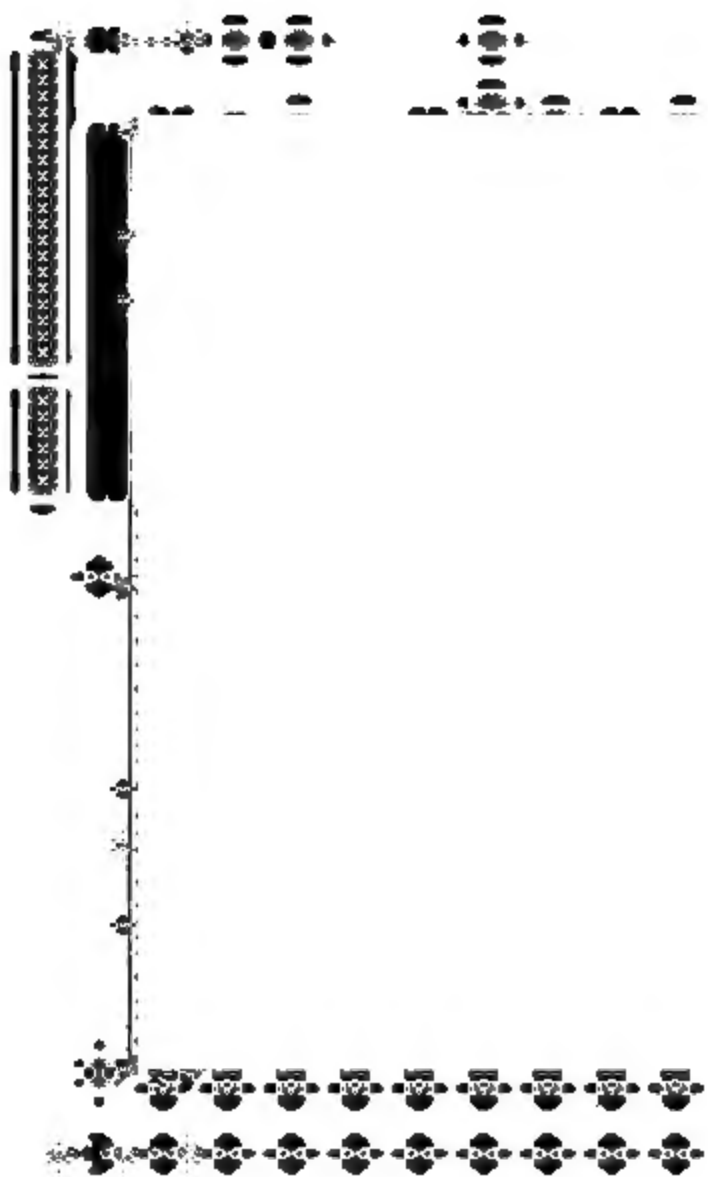
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# I V E S

#### Division of

## BINDERS





# HOUSE JOURNAL.

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*Lansing, Wednesday, January 1, 1873.*

Pursuant to the requirements of the Constitution, the members elect to the House of Representatives of the Legislature of the State of Michigan, for the year 1873, assembled in the Representative Hall of the Capitol, at Lansing, on Wednesday, the first day of January, at 11 o'clock, and were called to order by Nelson B. Jones, Clerk of the last House.

Prayer was offered by Rev. Mr. Weed of Lansing.

Upon examining the credentials of members, it was ascertained that the several counties were fully represented except the following: Alpena, etc., Bay, Grand Traverse, etc., Houghton, Huron, Keweenaw, Leelanaw, second district of Livingston, first district of Macomb, Marquette, second district of Monroe, second district of St. Joseph, James Caplis of first district, and Henry Gordon of the fifth district of Wayne.

On motion of Mr. Croswell,

Hon. C. B. Grant of Washtenaw County was chosen temporary Speaker.

The temporary Speaker was authorized to appoint a Sergeant-at-Arms *pro tem*.

The temporary Speaker appointed Henry A. Norton of Ottawa County as Sergeant-at-Arms *pro tem*.

Mr. J. Walker moved that a committee of two be appointed

to wait on Lieutenant Governor Holt, and invite him to administer the oath of office to the several members elect ;

Which motion prevailed.

The temporary Speaker appointed Mr. J. Walker of Kalamazoo, and Mr. Walton of Lenawee, as such committee.

After a short absence the committee reported Lieutenant Governor Holt in attendance.

The roll of the members was then called by counties and districts, when the following members answered to their names, and, having taken and subscribed to the oath of office, were admitted to seats as Representatives in the Legislature of the State of Michigan ;

*Allegan County*—1st District, Henry F. Thomas ; 2d District, Charles W. Watkins ; 3d District, Jan W. Garvelink.

*Alpena County, etc.*—

*Barry County*—1st District, Frederick W. Collins ; 2d District, Gilbert Striker.

*Bay County*—

*Berrien County*—1st District, Thomas J. West ; 2d District, William Chamberlain ; 3d District, Evan J. Bonine.

*Branch County*—1st District, George W. Van Aken ; 2d District, Erastus J. Welker.

*Calhoun County*—1st District, Solon E. Robinson ; 2d District, Preston Mitchell ; 3d District, Rodolphus Sanderson.

*Cass County*—1st District, Alexander Robertson ; 2d District, Thomas O'Dell.

*Charlevoix County, etc.*—Edward H. Green.

*Clinton County*—1st District, John O. Brunson ; 2d District, Rowland S. Van Scoy.

*Delta County, etc.*—John L. Buell.

*Eaton County*—1st District, Henry A. Shaw ; 2d District, Asa K. Warren.

*Genesee County*—1st District, George Kipp ; 2d District, Levi Walker ; 3d District, Frederick Walker.

*Grand Traverse County, etc.*—

*Gratiot County*—Charles H. Morse.

*Hillsdale County*—1st District, Alexander Hewitt; 2d District, William Drake; 3d District, Charles D. Luce.

*Houghton County*—

*Huron County*—

*Ingham County*—1st District, Ira H. Bartholomew; 2d District, Arnold Walker.

*Ionia County*—1st District, William Sessions; 2d District, Shiverick Kellogg.

*Jackson County*—1st District, John F. Drew; 2d District, William H. Withington; 3d District, Levi N. Goodrich.

*Kalamazoo County*—1st District, Eli R. Miller; 2d District, Thomas S. Cobb; 3d District, John Walker.

*Kent County*—1st District, Ebenezer S. Eggleston; 2d District, Samuel M. Garfield; 3d District, Edward L. Briggs; 4th District, Erwin C. Watkins.

*Keweenaw County, etc.*—

*Lapeer County*—1st District, Jacob C. Lamb; 2d District, John T. Rich.

*Leelanaw County, etc.*—

*Lenawee County*—1st District, Jacob Walton; 2d District, LeGrand J. Smith; 3d District, Arthur D. Gilmore; 4th District, Charles M. Croswell.

*Livingston County*—1st District, John Carter; 2d District,

*Macomb County*—1st District, ————; 2d District, Deliverance S. Priest.

*Manistee County, etc.*—Merritt N. Chafey.

*Marquette County*—

*Mecosta County, etc.*—Elias O. Rose.

*Midland County, etc.*—Isaac A. Fancher.

*Monroe County*—1st District, Christian Hertzler; 2d District, ————

*Montcalm County*—Richard O. Miller.

*Muskegon County*—Charles C. Thompson.

*Newaygo County*—Sullivan Armstrong.

*Oakland County*—1st District, Aaron Perry ; 2d District, Alonzo S. Knapp ; 3d District, Elisha Zimmerman.

*Oceana County*—Amos R. Wheeler.

*Ottawa County*—1st District, William H. Curtis ; 2d District, Robert A. Haire.

*Saginaw County*—1st District, Thomas C. Ripley ; 2d District, Conrad Fey ; 3d District, Francis Ackley.

*Sanilac County*—Daniel Wixson.

*Shiawassee County*—1st District, Frederick G. Bailey ; 2d District, Benjamin Walker.

*St. Clair County*—1st District, Lawrence T. Remer ; 2d District, Henry Howard ; 3d District, Thomas H. Bottomly.

*St. Joseph County*—1st District, Fayette Parsons ; 2d District, ———.

*Tuscola County*—John P. Hoyt.

*Van Buren County*—1st District, Samuel H. Blackman ; 2d District, Emery H. Simpson.

*Washtenaw County*—1st District, Claudius B. Grant ; 2d District, Michael J. Noyes ; 3d District, Peter Cook.

*Wayne County*—1st District, John Greusel, James Burns, Henry D. Edwards, ———, John J. Speed ; 2d District, Mathew Markey ; 3d District, Onesimus O. Pierce ; 4th District, Winfield Scott ; 5th District, ———.

Mr. Welker moved that the House adjourn until three o'clock P. M.;

Which motion did not prevail.

On motion of Mr. Kellogg, the House took a recess until two o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the temporary Speaker.

Roll called: quorum present.

Mr. Gilmore offered the following:

*Resolved*, That the rules of the last House of Representatives be adopted as the rules of this House until further ordered ;

Which was adopted.

On motion of Mr. Scott,

The House proceeded to the election of Speaker, with the following result :

FOR CHARLES M. CROSWELL.

Mr. Ackley,	Mr. Grant,	Mr. Rose,
Armstrong,	Green,	Sanderson,
Bailey,	Greusel,	Scott,
Bartholomew,	Haire,	Sessions,
Blackman,	Hewitt,	Shaw,
Bonine,	Howard,	Smith,
Bottomly,	Hoyt,	Speed,
Briggs,	Kellogg,	Striker,
Bronson,	Kipp,	Thomas,
Buell,	Knapp,	Thompson,
Burns,	Lamb,	Van Scoy,
Carter,	Luce,	A. Walker,
Chafey,	R. C. Miller.	B. Walker,
Chamberlain,	Mitchell,	F. Walker,
Collins,	Morse,	J. Walker,
Curtis,	Noyes,	L. Walker,
Drake,	O'Dell,	Walton,
Drew,	Parsons,	Warren,
Edwards,	Pierce,	C. W. Watkins,
Eggleston,	Priest,	E. C. Watkins,
Fancher,	Remer,	Welker,
Fey,	Rich,	Wheeler,
Garfield,	Ripley,	Withington,
Garvelink,	Robertson,	Wixson,
Gilmore,	Robinson,	Zimmerman,
Goodrich,		

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FOR HORACE H. CADY.

Mr. Cobb,	Mr. Hertzler,	Mr. Markey,
Perry.		

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FOR CLAUDIUS B. GRANT.

Mr. Croswell,	1
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The temporary Speaker announced that Hon. Charles M. Croswell of Lenawee County, having received a majority of

all the votes cast, was duly elected to the office of Speaker of the House.

Mr. Welker moved that a committee of two be appointed to wait on the Speaker elect and conduct him to the chair ;

Which motion prevailed.

The temporary Speaker appointed Messrs. Welker and Bonine as such committee.

The committee performed the duty assigned them, and the Speaker elect, on assuming the chair, addressed the House as follows :

GENTLEMEN OF THE HOUSE—I am deeply grateful for the high compliment of this call to permanently preside over your deliberations.

I am conscious that in the discharge of the duties of this position I am simply to represent the House, to express its will and obey its commands, and I shall endeavor to do so faithfully, firmly, and impartially according to the best of my humble capacity.

Gathered here from all sections of this grand commonwealth, representing a population of nearly a million and a quarter of souls,—with a jurisdiction extending from the fertile plains that bound the State on the south, to the distant rugged, rich mineral regions of the Upper Peninsula, vested with all power of legislation for this people, save as limited by the Constitution of the State and of the United States, you have a responsibility resting upon you that I doubt not you will discharge with an eye single to the public welfare.

It is said “that the laws of a community reflect the civilization of its people.” May I indulge the hope that your legislation, like the wise legislation of your predecessors, may tend to develop the wealth of the State, to perfect its agriculture, to increase its commerce, to advance its educational and benevolent interests, and thus strengthen the attachments of the people for the government, and promote the true glory of our common country.



Ten years ago it was my privilege to be an humble member of the Legislature that assembled within these walls. Then the fierce flames of hate were busy in the land, and States were arrayed in an effort to divide and destroy the nation. This State declared for the perpetuity of the American Union, and Michigan, without a murmur, did her whole duty for the accomplishment of that object. As I look upon this House and contrast the circumstances under which it now assembles with that dark and perilous period, I feel rejoiced that with a full heart I can proudly congratulate you upon a nation preserved, a people united; and not only prosperous and free, but the freest and the happiest in the world.

Again thanking you for the honor you have bestowed upon me, and sincerely hoping that this new year, which opens so auspiciously upon us, may be freighted with the choicest of blessings for each of you, as well as for our country, I enter upon the discharge of the duties your kindness assigns me.

On motion of Mr. Chamberlain,

The House proceeded to the election of Chief Clerk, with the following result:

FOR DANIEL L. CROSSMAN.

Mr. Ackley,	Mr. Grant,	Mr. Sanderson,
Armstrong,	Green,	Scott,
Bailey,	Greusel,	Sessions,
Bartholomew,	Haire,	Shaw,
Blackman,	Hewitt,	Simpson,
Bonine,	Howard,	Smith,
Bottomly,	Hoyt,	Speed,
Briggs,	Kellogg,	Striker,
Bronson,	Kipp,	Thomas,
Buell,	Knapp,	Thompson,
Burns,	Lamb,	Van Aken,
Carter,	Luce,	Van Scoy,
Chafey,	Markey,	A. Walker,
Chamberlain,	R. C. Miller,	B. Walker,
Collins,	Mitchell,	F. Walker,
Cook,	Morse,	J. Walker,
Curtis,	Noyes,	L. Walker,
Drake,	O'Dell,	Walton,

Mr. Drew,  
Edwards,  
Eggleston,  
Fancher,  
Fey,  
Garfield,  
Garvelink,  
Gilmore,  
Goodrich,

Mr. Parsons,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,  
Robertson  
Robinson,  
Rose,

Mr. Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welker,  
Withington,  
Wixson,  
Zimmerman,  
Speaker.

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## FOR NELSON B. JONES.

Mr. Cobb,

Mr. Hertzler,

Mr. Perry.

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The Speaker announced that Daniel L. Crossman, having received a majority of all the votes cast, was duly elected to the office of Chief Clerk.

On motion of Mr. Bonine,

The House proceeded to the election of Sergeant-at-Arms, with the following result :

## FOR EDWARD M. FITCH.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Bottomly,  
Briggs,  
Bronson,  
Buell,  
Burns,  
Carter,  
Chafey,  
Chamberlain,  
Cobb,  
Collins,  
Cook,  
Curtis,  
Drew,  
Edwards,  
Eggleston,  
Fancher,

Mr. Grant,  
Green,  
Greusel,  
Haire,  
Hertzler,  
Hewitt,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Luce,  
Markey,  
R. C. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,

Mr. Robinson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,

Mr. Fey, Garfield, Garvelink, Gilmore, Goodrich,	Mr. Priest, Remer, Rich, Ripley, Robertson,	Mr. Welker, Withington, Wixson, Zimmerman, Speaker, 83
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The Speaker announced that Edward M. Fitch, having received a majority of all the votes cast, was duly elected to the office of Sergeant-at-Arms.

On motion of Mr. Kellogg,

The House proceeded to the election of an Engrossing and Enrolling Clerk, with the following result:

FOR WILLIAM H. MARSTON.

Mr. Ackley, Armstrong, Bailey, Bartholomew, Blackman, Bonine, Bottomly, Briggs, Bronson, Buell, Burns, Carter, Chafey, Chamberlain, Cobb, Collins, Cook, Curtis, Drake, Drew, Edwards, Eggleston, Fancher, Fey, Garfield, Garvelink, Gilmore, Goodrich,	Mr. Grant, Green, Greusel, Haire, Hertzler, Hewitt, Howard, Hoyt, Kellogg, Kipp, Knapp, Lamb, Luce, Markey, E. R. Miller, R. C. Miller, Mitchell, Morse, Noyes, O'Dell, Parsons, Perry, Pieroe, Priest, Remer, Rich, Ripley, Robertson,	Mr. Rose, Sanderson, Scott, Sessions, Shaw, Simpson, Smith, Speed, Striker, Thomas, Thompson, Van Aken, Van Scoy, A. Walker, B. Walker, F. Walker, J. Walker, L. Walker, Walton, Warren, C. W. Watkins, E. C. Watkins, Welker, Wheeler, Withington, Wixson, Zimmerman, Speaker, 83
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The Speaker announced that William H. Marston, having

received a majority of all the votes cast, was duly elected to the office of Engrossing and Enrolling Clerk.

The oath of office was administered to the Chief Clerk, Engrossing and Enrolling Clerk, and Sergeant-at-Arms elect, and the several officers named entered on the discharge of their duties.

Mr. Scott offered the following:

*Resolved*, That the Clerk of this House be instructed to furnish each Member with a copy of the Manual of the last regular session of the legislature.

Mr. Shaw moved to amend by adding thereto the words "and the Compiled Laws of 1871;"

Which motion prevailed.

The resolution, as amended, was then adopted.

Mr. Warren offered the following:

*Resolved*, That the Chief Clerk, Sergeant-at-Arms, and the Enrolling and Engrossing Clerk be and are hereby empowered to appoint each an assistant;

Which was adopted.

Mr. Greusel offered the following:

*Resolved* (the Senate concurring), That Benjamin F. Stamm of Wayne be and is hereby appointed postmaster of the Senate and House, to distribute all mail matter belonging to members of the Senate and House, at a compensation of three dollars per day.

Laid over for one day under the rules.

Mr. C. W. Watkins offered the following:

*Resolved* (the Senate concurring), That Don. C. Henderson of Allegan county be and he is hereby appointed postmaster.

Laid over for one day under the rules.

Mr. Hertzler offered the following:

*Resolved*, That the Speaker of the House is hereby authorized to appoint six messenger boys for the House at large, and one special messenger for the Speaker, and the Clerk be

authorized to appoint a special messenger for himself; all at a compensation to be hereafter established;

Which was adopted.

Mr. Bartholomew offered the following:

*Resolved*, That a committee of two be appointed to wait on the Senate and inform that body that the House, having elected the Hon. Charles M. Croswell of Lenawee county, Speaker, and Daniel L. Crossman of Ingham county, Clerk, are duly organized and ready to proceed to business;

Which was adopted.

The Speaker appointed Messrs. Bartholomew and Burns as such committee.

Mr. Kellogg offered the following:

*Resolved*, That the Speaker be authorized to appoint a fireman, assistant fireman, and keeper of the cloak-room;

Which was adopted.

Mr. Shaw moved that the rules requiring concurrent resolutions to lie over one day be suspended, and the following be put on its immediate passage:

*Resolved*, By the House (the Senate concurring), That the joint rules of the Senate and House of Representatives in joint convention of the last Legislature be and they are hereby adopted as the rules of the present Senate and House until otherwise ordered.

The rules were suspended by a two-thirds vote of the members elect, and the resolution was adopted.

Mr. Gilmore moved that the rules be suspended, and that the following be put on its immediate passage:

*Resolved* (the Senate concurring), That a committee of three be appointed on the part of the House, to act with a like committee on the part of the Senate, to wait upon the retiring Governor and inform him that the two Houses are now organized and ready to receive any communication he may be pleased to make.

The rules were suspended and the resolution was adopted.

The committee appointed to inform the Senate that the House had perfected its organization, reported that they had performed that duty, and were discharged.

Mr. Thomas offered the following :

*Resolved*, That a committee of three be appointed to invite the resident officiating clergymen of Lansing to open the morning sessions of this House with prayer, in such order as they may arrange among themselves ;

Which was adopted.

The Speaker appointed Messrs. Thomas, Welker, and Blackman as such committee.

Mr. Lamb offered the following :

*Resolved*, That the hour of meeting for the sessions of this House be at 10 o'clock A. M., until otherwise ordered ;

Which was adopted.

Mr. Garfield moved to suspend the rules, and that the following resolution be placed on its immediate passage :

*Resolved* (the Senate concurring), That the State printer be instructed to transmit to each county clerk in the State, one copy each of the journal of the House and Senate during the present session.

The rules were suspended and the resolution adopted.

Mr. Warren offered the following :

*Resolved*, That the chief clerk of this House be instructed to procure one thousand copies of the daily Journal for the use of members of this House ;

Which was adopted.

On motion of Mr. Chamberlain,

The House adjourned.



*Lansing, Thursday, January 2, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Robinson.

Roll called: quorum present.

Absent without leave, Messrs. Eggleston and Lockwood.

The Speaker announced as the committee on the part of the House, to act with a like committee on the part of the Senate, to wait upon the retiring Governor and inform him that the two Houses are now organized and ready to receive any communication he may be pleased to make, Messrs. Gilmore, Remer and Garfield.

It was announced that Representatives elect George Lewis of Bay, Richard M. Hoar of Houghton, Andrew Olimie of the second district of St. Joseph, Daniel Dinturff of the second district of Livingston, Henry Gordon of the fifth district of Wayne, and Henry B. Welch of the second district of Monroe, were present, and desired to take their seats; and they came forward and took and subscribed the constitutional oath of office and took their seats.

Mr. Withington asked and obtained leave of absence for Mr. Eggleston.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, January 1, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved by the Senate* (the House concurring), That the Governor be and he is hereby authorized to appoint one messenger boy for himself;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Chamberlain,

The House concurred in the adoption of the resolution.

The Speaker also announced the following :

SENATE CHAMBER, {  
*Lansing, January 1, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to inform the House that Senators Crosby and Emerson have been appointed on the part of the Senate, to act with a like committee on the part of the House, to wait on the retiring and acting Governors, and inform them that the two Houses are now organized and ready to receive any communications they may be pleased to make ;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The communication was laid on the table.

The Speaker also announced the following :

SENATE CHAMBER, {  
*Lansing, January 1, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

*Resolved by the Senate* (the House concurring), That the joint rules of the Senate and House of Representatives, and the rules in joint convention of the last Legislature, be and are hereby adopted as the rules of the present Senate and House of Representatives, until otherwise ordered ;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Garfield,

The House concurred in the adoption of the resolution.

The Speaker also announced the following :

SENATE CHAMBER, }  
Lansing, January 1, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

*Resolved* (the House concurring), That the State Printer be instructed to forward one copy of the daily journal to each daily and weekly newspaper published in this State, Judges of the Supreme Court, Circuit Judges, County Clerks of the several counties, and Judges of Probate;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Remer,

The House concurred in the adoption of the resolution.

#### MOTIONS AND RESOLUTIONS.

On motion of Mr. Speed,

The House proceeded to the election of Speaker *pro tem.*, with the following result:

#### FOR CLAUDIUS B. GRANT.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,

Mr. Green,  
Haire,  
Hertzler,  
Hewitt,  
Howard,  
Hoyt,

Mr. Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,

<b>Mr. Bottomly,</b>	<b>Mr. Kellogg,</b>	<b>Mr. Speed,</b>
<b>Briggs,</b>	<b>Kipp,</b>	<b>Striker,</b>
<b>Bronson,</b>	<b>Knapp,</b>	<b>Thomas,</b>
<b>Buell,</b>	<b>Lamb,</b>	<b>Thompson,</b>
<b>Burns,</b>	<b>Lewis,</b>	<b>Van Aken,</b>
<b>Carter,</b>	<b>Luce,</b>	<b>Van Scoy,</b>
<b>Chafey,</b>	<b>Markey,</b>	<b>A. Walker,</b>
<b>Chamberlain.</b>	<b>E. R. Miller,</b>	<b>B. Walker,</b>
<b>Climie,</b>	<b>R. C. Miller.</b>	<b>F. Walker,</b>
<b>Cobb,</b>	<b>Mitchell,</b>	<b>J. Walker,</b>
<b>Collins,</b>	<b>Morse,</b>	<b>L. Walker,</b>
<b>Cook,</b>	<b>Noyes,</b>	<b>Walton,</b>
<b>Curtis,</b>	<b>O'Dell,</b>	<b>Warren,</b>
<b>Dinturff,</b>	<b>Parsons,</b>	<b>C. W. Watkins,</b>
<b>Drake,</b>	<b>Perry,</b>	<b>E. C. Watkins,</b>
<b>Drew,</b>	<b>Pierce,</b>	<b>Welch,</b>
<b>Edwards,</b>	<b>Priest,</b>	<b>Welker,</b>
<b>Fancher,</b>	<b>Remer,</b>	<b>West,</b>
<b>Fey,</b>	<b>Rich,</b>	<b>Wheeler,</b>
<b>Garfield,</b>	<b>Ripley,</b>	<b>Withington,</b>
<b>Garvelink,</b>	<b>Robertson,</b>	<b>Wixson,</b>
<b>Gilmore,</b>	<b>Robinson,</b>	<b>Zimmerman,</b>
<b>Goodrich,</b>	<b>Rose,</b>	<b>Speaker,</b>
<b>Gordon,</b>		

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## FOR HENRY A. SHAW.

Mr. Grant,

1.

The Speaker announced that Hon. Claudius B. Grant, having received a majority of all the votes cast, was duly elected to the office of Speaker *pro tem*.

The committee appointed by the House to act with a like committee on the part of the Senate, to wait upon the retiring and acting Governors and inform them that the two Houses are now organized and ready to receive any communications they may be pleased to make, reported that they had performed that duty, and that His Excellency, the retiring Governor, would be pleased to meet the two Houses in joint convention at 11 o'clock A. M., and that His Excellency, the Acting Governor, would be pleased to meet the two Houses in joint convention at half-past 2 o'clock this afternoon.

The committee were then discharged.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER, }  
Lansing, January 2, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved*, By the House (the Senate concurring), That the joint rules of the Senate and House of Representatives in joint convention of the last Legislature be and they are hereby adopted as the rules of the present Senate and House until otherwise ordered;

In the passage of which the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The communication was laid on the table.

Mr. Shaw offered the following:

*Resolved*, by the House of Representatives of the State of Michigan, That the Clerk of the House be and is hereby instructed to procure from the clerks of the several counties of this State, certified copies of the assessed and equalized valuation of their respective counties for the year 1872;

Which was adopted.

On motion of Mr. Grant,

The House took a recess until five minutes to 11 A. M.

AFTER RECESS,

The House was called to order by the President at five minutes before 11.

Roll called: quorum present.

The Speaker, by unanimous consent, announced the following:

SENATE CHAMBER, }  
Lansing, January 2, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved* (The House concurring), That the Senate and the House of Representatives meet in joint convention in Representative Hall to-day at eleven o'clock, to hear the message of the retiring Governor ;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Shaw,

The House concurred in the adoption of the resolution.

Mr. J. Walker moved that a committee of two be appointed to wait on the Senate and inform that body that the House was ready to receive them in joint convention.

The Speaker appointed Messrs. J. Walker and Hoyt.

After a short absence the committee reported that they had performed the duty assigned them, and were discharged.

The Sergeant-at-Arms announced the Honorable Senate, who were conducted to seats.

#### PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the Hon. Henry Holt, Lieutenant Governor and President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum of the Senators were present.

The roll of the House was called by the Clerk thereof, and a quorum of the members were present.

The President of the Senate announced that the joint convention had assembled for the purpose of receiving the message of His Excellency, the retiring Governor, Henry P. Baldwin.

Senator De Land moved that a committee of five be appointed to wait on His Excellency, the retiring Governor, and inform him that the Senate and House were assembled in joint convention, and were ready to receive any communication he may be pleased to make ;

Which motion prevailed.



The President announced as such committee Senators De Land and Emerson, and Representatives Grant, Miller, and Withington.

After a short absence the committee reported that they had performed the duty assigned them, and announced His Excellency, retiring Governor Baldwin, and the State officers in attendance.

Governor Baldwin then read his message, as follows:

*Gentlemen of the Senate and House of Representatives :*

I greet you at the opening of the new year and of another biennial period of our history, with congratulations upon the favorable auspices under which you have assembled to legislate in behalf of the material interests of the State.

Never before has the prosperity of the entire country been so gratifying, and its influence with other nationalities so commanding. Success in a degree unprecedented has attended our agricultural, manufacturing, and mercantile pursuits; labor has found ready employment; has been properly appreciated and well rewarded; the tide of immigration from the older countries of the world has steadily augmented our population; educational advantages have multiplied, and now are offered freely to all classes and conditions of people; and peace, with all its blessings, prevails at home and with all the nations of the earth.

Amidst this general prosperity, Michigan has not been behind any of its sister States. For a long period after its organization, the marked advantages which our State possessed were but little known and appreciated. The fact that its heavily timbered lands could be brought under cultivation only by great and patient labor, sent many of the seekers for new homes to the prairie States. During the last few years, however, the superiority of its location, the great value of its forests of timber, its immense and rich mineral resources, its healthful climate, its productive soil, beautiful lakes and rivers, the high character and flourishing condition of its educa-

tional and charitable institutions, the prosperous state of its finances, the light-burden imposed upon the people by way of taxation, and the general prudence and economy of its government, have come to be fully understood and appreciated, and have all combined to give our State the prominence and high character to which it is justly entitled. Our vacant lands are being rapidly taken up by industrious and intelligent settlers. Railroads are being extended and traverse the State in all directions, and we may safely predict that its present prosperity and rapid growth are but the harbingers of its future greatness.

A brief statement will show the satisfactory condition of the State

#### FINANCES.

Balance of cash in the Treasury Nov. 30, 1870..	\$458,307 97
Receipts for (10 months) the fiscal year ending	
Sept. 30, 1871.....	1,510,178 83
	<hr/>
Total.....	\$1,968,486 80
Disbursements for ten months ending Sept. 30,	
1871,.....	1,274,364 14
	<hr/>
Balance in Treasury Sept. 30, 1871.....	\$694,122 66
Receipts for fiscal year ending Sept. 30, 1872....	2,181,498 22
	<hr/>
Total.....	\$2,875,620 88
Disbursements for the same period.....	1,898,396 85
	<hr/>
Balance in Treasury Sept. 30, 1872.....	\$977,224 03
Receipts for the two months ending Dec. 31, 1872	357,110 19
	<hr/>
Total.....	\$1,334,334 22
Disbursements for the same time.....	567,363 76
	<hr/>
Balance in the Treasury Dec. 31, 1872.....	\$766,970 56

The estimated receipts and expenditures for the fiscal years ending Sept. 30, 1873, and Sept. 30, 1874 are as follows:

For the year ending Sept. 30, 1873, including

balance in the Treasury Sept. 30, 1872.....	\$2,438,300	08
Expenditures for the same period.....	2,081,004	23

Balance Sept. 30, 1873.....	\$357,295	85
Receipts for the year ending Sept. 30, 1874.....	1,260,900	00

Total.....	\$1,618,195	85
Disbursements for the year ending Sept. 30, 1874,	1,089,510	00

Balance Sept. 30, 1874.....	\$528,685	85
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The estimates for the present year include the payment of *all* demands upon the Treasury now due, and all appropriations heretofore made and payable prior to or within the year 1873; they also include such amounts as will be needed for the current support of the several State institutions, and all other appropriations now recommended.

The estimates for 1874 are made upon a basis of an aggregate State tax of one mill on the dollar; they also include all appropriations herein recommended for that year. Neither of the estimates include the payment of other State Bonds than those already matured.

The funded debt, January 1, 1869, was \$3,614,078 49. Of this debt \$1,538,785 71 have been paid, and the sum of \$313,000 has been placed in New York for the redemption of the same amount of six per cent bonds, maturing on the first day of the present month. Since January 1, 1869, \$51,000 of War Bounty Bonds have been issued for the payment of soldiers' bounties, under Act No. 85, Laws of 1865, all of which have been purchased through the sinking fund and canceled; the virtual payment, therefore, of the bonded debt of the State within the last four years is \$1,902,785 71, being an average annual reduction of \$475,696 42. The payment of interest on the

funded debt within the same time has amounted to \$676,142 48. Thus the total payment of principal and interest of the funded debt amounts to \$2,578,928 19, an average of \$644,732 05 each year.

The Trust funds in the hands of the State at the close of the year 1868, were \$2,031,440 63; at the present time they amount to \$2,790,578 52, showing an increase of \$759,137 89, or \$189,784 47 annually.

The gross amount of State taxes for the same period for all purposes, were \$2,331,303 84, or an average per annum of \$582,825 96, being \$61,906 09 per year, and \$247,624 35 for the entire four years, less than has been paid for principal and interest on the bonded debt.\*

The appropriations in behalf of our State institutions for the four years, have amounted to \$1,428,633 44, a yearly average of \$357,158 36; of this amount \$663,339 50 were for current expenses, and \$765,293 94 for buildings and improvements as follows: To the University, for expenses \$90,000, new hall \$75,000; Agricultural College, expenses \$74,000, buildings \$46,000; Normal School, expenses \$50,000, buildings and improvements \$10,700; State Public School, buildings \$30,000; Institution for the Education of the Deaf, Dumb, and the Blind, expenses \$150,000, buildings and improvements \$105,000; Asylum for the Insane, expenses \$54,000, buildings and improvements \$257,300; Reform School, expenses \$140,000, buildings \$15,600; State Prison, buildings and improvements \$85,000; New State Offices \$30,693 94; New Capitol \$110,000; Soldiers' Home, expenses \$22,000; Roll of Honor \$1,339 50; Geological Survey and Publications \$52,000; Immigration Commission, expenses \$30,000.

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\* In the statement of the aggregate of State taxes above made, I have used the taxes levied in the years 1868, 1869, 1870, and 1871, and collected respectively during the years 1869, 1870, 1871, and 1872.

There was a balance in Treasury, January 1, 1869, of.....	\$649,811 00
Balance January 1, 1878.....	\$774,102 08
Deduct bonded debt due January 1, 1878.....	818,000 00—\$461,102 08
Less cash January 1, 1878, than January 1, 1869.....	\$189,708 97

As the appropriations made at the extra session of the Legislature, in 1872, for the New Capitol, were to be expended in future years, they have not been included in the above statement.

The funded debt (exclusive of the \$313,000 maturing January 1) is as follows:

**INTEREST-BEARING BONDS.**

Six per cents, due in 1878.....	\$480,000
“ “ Sault Canal, due in 1879 .....	73,000
“ “ due in 1883.....	712,000
Seven “ War Loan, due in 1890.....	463,000
Total.....	<u>\$1,728,000</u>

**DEBT BEARING NO INTEREST.**

Part-paid Five Million Loan Bonds	
adjustable at.....	\$31,242 78
Adjusted Bonds, past due.....	3,000 00
War Loan Bond, drawn but not presented .....	50 00
	<u>\$34,292 78</u>
Grand Total.....	\$1,762,292 78

Unremitting efforts have been made to anticipate the payment of the entire amount of bonds maturing January 1, and to purchase an additional amount of the bonds becoming due several years hence, but so high has become the credit of the State, in the commercial world, that the Treasurer has been unable to purchase but a limited amount.

It will be seen from the estimates of receipts and expenditures that will be placed before you, that the low rate of taxation of one mill on the dollar for all purposes, will be sufficient to cover needed appropriations and leave a surplus applicable to the sinking fund for reduction of the State debt.

No portion of the interest-bearing bonds become due until January, 1878, and as few, if any, of the unmatured bonds can hereafter be obtained at their par value, I am clearly of the

opinion that sound policy warrants the payment of a small premium rather than allow a large surplus to accumulate and remain in the Treasury. I therefore recommend that the State Treasurer, with the advice and consent of the Governor and Auditor General, be authorized to use such portion of the surplus funds as may now or hereafter be standing to the credit of the Sinking Fund, in the purchase of any unmatured bonds, and at such rates of premium as may be deemed for the best interests of the State.

#### STATE LANDS AND ROADS.

The Land Department continues to occupy a prominent position in the State Government.

During the year and ten months ending Sept. 30, 1872, 735,734.27 acres of State lands were disposed of, for \$1,195,713 38, and as follows:

##### *Original Sales for Cash or Part Payment.*

Primary School Land, 66,961.85 acres, for.....	\$268,223 65
Agricultural College Land, 29,952.69 acres, for..	97,298 07
Asylum Land, 160 acres, for .....	640 00
Salt Spring Land, 40 acres, for .....	160 00
Internal Improvement Land, 240 acres, for....	300 00
Swamp Land, 55,427.69 acres, for.....	69,238 98

Being 152,782.23 acres, for.....	\$435,860 70
Patented for roads and ditches, 566,857.42 acres, for .....	\$737,688 61

Total of original sales, 719,639.65 acres, for...\$1,173,549 31

##### *Sales of Forfeited Lands.*

Primary School, 5,044 48 acres, for.....	\$21,053 41
University, 15.68 acres, for .....	188 16
Asylum, 160 acres, for.....	640 00
State Building Lots.....	282 50

Total sales forfeited lands, 5,220.16 acres, for.. \$22,164 07

Total sales, 724,859.81 acres, for.....\$1,195,713 38

Patented to settlers under Homestead acts, 10,874.46 acres.  
Total amount of lands disposed of, 735,734.27 acres.  
The entire amount of lands disposed of during the three years and ten months ending Sept. 30, 1872, is, 1,290,709.32 acres, for \$2,091,090 97, as follows :

Original sales for cash or part payment, 231,-	
211.21 acres, for.....	\$700,079 42
For roads and ditches, 1,028,252.20 acres, for....	1,348,780 20
Forfeited Lands re-sold, 10,140.73 acres, for....	42,231 35
	<hr/>

\* Total sales, 1,269,604.14 acres, for.....\$2,091,090 97  
Patented to settlers under Homestead Acts, 21,105.18 acres .  
Under the provisions of the Homestead Acts, licenses were issued in the fiscal years 1869 and 1870, for 46,374.66 acres, and during the year and ten months ending Sept. 30, 1872, for 28,498.98 acres. Total, 74,873.64 acres. The whole amount of outstanding licenses Sept. 30, 1872, was 85,269.19 acres. There were due to contractors for work accepted on roads and ditches, 135,703.66 acres. Roads and ditches were also under contract which, when completed, will require for payment 245,426.24 acres.

The amount of swamp lands patented to the State in the Lower Peninsula, is 3,273,478.26 acres; in the Upper Peninsula, 2,646,580.84 acres. Total, 5,920,059.10 acres, of which the patents for 20,063.93 acres have been received since January, 1869.

At the close of the fiscal year of 1872 the vacant or unsold lands were as follows:

Swamp and Indemnity.....	2,504,929.38 acres,
(of which 1,914,432.46 are in the Upper Peninsula.)	
Primary School.....	401,751.22 “

\* There were sold in 1872, 400 acres of “ Asset Lands ” for \$740, which are not included in the foregoing statements.

Agricultural College.....	188,440.68	acres.
Asset .....	5,330.39	"
Salt Spring.....	1,215.63	"
Asylum .....	720.00	"
Internal Improvement .....	420.31	"
University .....	116.07	"
<hr/>		
Total .....	3,102,923.68	acres.

The State is entitled to 49,030.62 acres of additional School lands, of which 22,430.15 acres are in the Lower Peninsula, most of these have been selected, and the lists forwarded for approval to the department at Washington. There is also due to the State, as appears from the Report of the Commissioner of the General Land Office, 1,361.46 acres of Internal Improvement lands, for the selection of which, no authority has yet been received from Washington.

Should the lands now vacant be disposed of at the same average rate as those for the last four years, not an acre would remain at the close of another decade; this, however, is not likely to be the case, as two-thirds of those now held by the State are in the Upper Peninsula.

A large portion of the most valuable Swamp lands has undoubtedly been disposed of, but as most of those now in market are located in those parts of the State now being rapidly opened and settled, they are steadily becoming more valuable. A small quantity of these lands is held under the provisions of Act No. 97 of 1869 at two dollars per acre, while almost the entire body is in market at one dollar and twenty-five cents. I am of the opinion that the price of the two classes of land last named, should be advanced to two dollars and fifty cents an acre.

The policy of using State Swamp lands for the construction of roads and ditches, adopted by the Legislature of 1859, has been continued without interruption to the present time. Much of every regular session following that of 1859, has been



employed in discussing the merits of a multiplicity of projects calling for additional and large appropriations.

The Legislature of 1871, and at the extra session of 1872, placed the Swamp and Indemnity lands and roads, in the hands of the State Board of Control. The experience of the past two years has, in my judgment, confirmed the wisdom of that action, and I cannot refrain from expressing the hope that no change in this regard will be made.

During the years 1869 and 1870, 599 miles of swamp land roads and ditches were constructed, and in the year and ten months ending Sept. 30, 1872, 332½ miles making a total of 921½ miles, of which 783 miles were in the Lower and 138½ miles in Upper Peninsula. In addition to this, thirteen bridges and fifteen culverts were rebuilt or repaired in the districts devastated by the October fires of 1871, at a cost of \$4,577.

#### EDUCATION.

There is no subject of more importance to the public welfare, or which should receive more intelligent and liberal consideration from the Legislature, than that of sustaining a wise and thorough system of popular education ; so interwoven is education with every material interest of the State, with the very foundations of republican government, that to foster and promote it, should be one of the first aims of a free people.

From a very early period Michigan has taken advanced positions on this subject. In 1821, fifteen years before the Territory became a State, a charter was granted by the Governor and Judges for the establishment of a university, in which the trustees were authorized "from time to time to establish such colleges, academies, and schools, depending upon the said university as they may think proper." The first school law of the Territory, enacted in 1827, ordained "that the citizens of any township, having fifty householders, shall provide themselves with a schoolmaster of good morals, to teach the children to read and write." Any township, with two hundred house-

holders, was required to have a schoolmaster who could teach Latin, French, and English. For any neglect of this law, the towns were liable to a fine of fifty to one hundred and fifty dollars.

The original Constitution of the State, provided not only for the establishment of "a system of common schools," but also for "a university, with such branches as the public convenience may hereafter demand." It was also declared that "the Legislature shall encourage, by all suitable means, the promotion of intellectual, scientific, and agricultural improvement."

The excellent system of education as now established in Michigan, and which has contributed so largely to her honor and commanding influence, is but the legitimate result of the far-reaching design and effort of those whose action I have just referred to. The primary and graded schools, the Normal School, Agricultural College, and the University, with its several departments, are but parts of what should and may be deemed to be one entire and harmonious system, in every respect available to any citizen of Michigan free of tuition.

It gives me pleasure to state that the public schools and higher institutions of learning are in a prosperous condition. The number of beautiful and substantial school buildings erected within the last four years, far exceeds that of any other like period, the amount expended for buildings and repairs being \$2,916,756 01. The present value of school-houses and lots is \$7,469,296. There are 5,365 public schools in the State, an increase of 257 in two years, and of 510 in four years, with a seating capacity of 381,812. The number of children of school age is 404,994, an increase in two years of 20,440, and in four years of 50,241. The number in attendance during the past year has been 303,212, an increase in two years of 24,526, and in four years of 52,216. The teachers for last year numbered 11,642, being 628 more than in 1870, and 2,034 more than

1868. The number of volumes reported in township and district libraries is 155,020, an increase in four years of 20,914.\*

The Primary School Fund, Sept. 30, 1872, was as follows:

Trust Fund, in the hands of the State, at 7 per cent interest.....	\$1,989,016 87
Trust Fund, in the hands of the State, at 5 per cent interest.....	251,909 31
Amounts due from purchasers of lands at 7 per cent. interest .....	727,346 16
Total.....	<u>\$2,968,272 34</u>

The State also holds 401,751.22 acres of unsold Primary School Lands, and there is still due from the General Government 49,030.62 acres. These lands, when sold, if according to the present fixed valuation, will add to the School Fund \$803,135 36.

That the enactment of the compulsory law of 1871, was a step forward, I have no doubt, but it has been too brief time in operation to enable me to judge clearly of its efficiency; the influence of the law, however, has been good.

#### NORMAL SCHOOL.

The number of pupils in attendance in the several departments during the school year of 1871, was 525, and in 1872, 70. The number of teachers employed is eleven. Since the establishment of this institution it has given instruction to nearly five thousand students, most of whom have taught in the public schools of the State.

The Normal School Fund is as follows:

Trust Fund in the hands of the State at 6 per cent interest.....	\$48,314 70
Amount due from purchasers on part paid lands at 7 per cent interest.....	20,969 84
Total.....	<u>\$69,284 54</u>

\*The number reported in township libraries being 46,819, is the number reported for 1871. The number for this year will unquestionably be 5,000 in excess of 1871.

The Normal School lands being all sold, this Fund will not increase.

The estimated current expenses of the school, including \$500 a year for library, school apparatus, and furniture, are \$21,700.

The receipts of interest from the State and from balance due on lands, will amount to \$4,157 07, and tuition fees to about \$2,500; total, \$6,657 07. An appropriation of \$15,000 will be needed for each year, and I recommend that it be made and added to the State tax, for each of the years 1873 and 1874.

#### AGRICULTURAL COLLEGE.

Since the last biennial session of the Legislature, the new chemical laboratory has been constructed, at a cost of \$12,000, and about \$8,000 have been expended for other building and farm improvements. Towards defraying these expenditures, \$10,000 were derived from the appropriation of 1871, for the laboratory, and \$4,219 92 from the sale of swamp lands belonging to the College, in Ingham and Clinton counties, leaving a deficit of about \$5,800.

I have no doubt that all of these improvements were desirable; yet I deem it my duty to say that, in my judgment, it would have been wiser to have deferred some of them until the necessary means had been provided. The policy of making expenditures in advance of appropriations, except in cases of very clear necessity, is at least doubtful, and should not be encouraged.

The College Board ask, for 1873 and 1874, appropriations amounting, in the aggregate, to \$77,800, viz.:

To pay arrearages.....	\$6,795 89
For current expenses (\$16,536 50 a year).....	33,073 00
For library, chemical apparatus, etc.,.....	1,441 00
For three new houses, for the President and two Professors .....	18,000 00
For new green-house.....	8,000 00
For improvements on buildings and grounds.....	10,500 00

It will be observed that the amount asked for the current support of the College, is not much less than the appropriation for 1871 and 1872, for the same purpose, while its income derived from interest on account of lands sold at the close of the fiscal year of 1871-72, was \$10,835 55, nearly \$7,000 a year larger than in 1870, and rapidly increasing.

The College Fund, September 30, 1872, was as follows:	
Trust Fund, in the hands of the State, at 7 per	
cent interest.....	\$73,608 92
Due from purchasers on part-paid lands, at 7 per	
cent interest.....	81,184 75
	<hr/>
Total.....	<u>\$154,793 67</u>

That the State has heretofore been liberal to this institution cannot be questioned, and I have no doubt its applications for aid will continue to receive the careful consideration which their importance may demand. I am of the opinion, however, that the sum asked for the support of the School, can be prudently lessened to \$15,000 for 1873, and \$13,000 for 1874; that the erection of a new house for the President, and of a new green-house, can be wisely postponed to a future time, and that other items may also be omitted, without detriment, so as to reduce the appropriations for 1873 and 1874 to a sum not exceeding \$48,000.

The number of students in attendance in 1871, was 141, and in 1872, 131.

THE UNIVERSITY.

With great pleasure I invite your attention to the Reports of the President of the University, for the academic year, of 1871 and 1872. This institution—justly the pride of the State—is in a most flourishing condition. Its library contains about 22,000 volumes; its Faculties of instruction last year numbered 38. The number of students attending during the year was 1224,—exceeding by nearly 100 the number present in the

previous year. Of this number 517 were in the Department of Literature, Science, and the Arts; 354 in the Department of Medicine, and 353 in the Department of Law. The total attendance is thought to be greater than at any other American College or University. The number of women registered in the different departments in 1871 was 34, and in 1872—64.

It should not be forgotten that the University of Michigan, governed by a Board of Regents elected by the people, is a State institution, and the crowning work of its educational system. It furnishes, without charge for tuition, to all persons of either sex having proper qualifications and seeking admission, the most "ample facilities for liberal education in literature, science and the arts, and for thorough and extended professional study of medicine and law."

It should also be remembered that by reason of its being a State institution, free to all, it has neither large revenues from tuition, nor liberal individual endowments for the support of its Faculty; its only Fund being the proceeds of lands donated by Congress while Michigan was a territory, all of which lands, excepting 116,07 acres, have been sold. The amount is as follows:

Trust Fund in the hands of the State at 7 per cent interest.....	\$427,728 72
Due from purchasers of land at 7 per cent interest .....	115,565 77
Total.....	\$543,294 49
The annual receipts of the University are nearly as follows:	
Interest on Trust Fund.....	\$29,941 01
"    " Part paid lands.....	8,054 60
"    " Reserve Fund.....	1,614 00
State appropriation .....	15,000 00
Students' Fees and Diplomas.....	21,000 00
Sundry sources.....	750 00
Total .....	\$76,359 61
While the expenditures are about.....	92,000 00
Leaving a yearly deficiency of.....	\$15,640 39

From a somewhat careful examination of these estimates, and from inquiries made relative to the cost of other similar institutions, I am quite satisfied that the University cannot maintain its present high character and position, with a less expenditure. It necessarily follows that the number of its students, and the number and efficiency of its Faculty must diminish, the standard of its education fall, and its present enviable reputation suffer, unless the State, by providing sufficient aid, places and establishes the institution upon reliable and firm foundations. I am sure that the University has done too much to elevate the standard and to advance the cause of education—too much in behalf of the good name of our State, and has become too securely established in the confidence of the people to be permitted to make a retrograde movement.

At the regular Session of 1871, an appropriation of \$75,000 was made for a new Hall to be used for recitation, lecture rooms and other purposes. The building has been erected and is now occupied, though unfinished. It is estimated that when completed the entire cost will have amounted to \$100,000.

The Board of Regents solicit an appropriation of \$25,000 to complete the new building, and \$13,000 to cover the deficit in revenue for the academical year ending June 30, 1873; also to have Act Number 14, Session Laws of 1869, so amended as to restore the form of taxation incorporated in the original Act of 1867, the rate then fixed having been one-twentieth of a mill on the dollar of the taxable property of the State. On the present valuation this tax will produce \$31,500 until 1876, when a new equalization will be made. I believe these several amounts to be necessary, and therefore cheerfully recommend that the appropriations and the amendment be made.

#### THE DEAF, DUMB, AND THE BLIND.

The buildings for the accommodation of the deaf, dumb, and the blind, at Flint, are now essentially completed, the portico for the front of the main edifice only being wanting.

No one of the educational institutions of the State should receive more cheerful support than that which, in the spirit of the Divine Master, strives, as it were, to unstop the deaf ear, open the eyes of the blind, and loosen the tongue of the dumb. A great deficiency that hitherto existed in this Asylum has happily, to some extent, been supplied by the introduction of mechanical instruction, a feature having now a fully recognized place in the institution, and already proved decidedly successful. The pupils enter upon the trades very earnestly; forty of the deaf and dumb, are now learning cabinet and shoe manufacturing, the only trades yet introduced. I respectfully call your attention to the importance of extending the facilities for teaching these industries, and for adding others of a suitable character, to such an extent as will enable every pupil, male or female, deaf and dumb or blind, to qualify themselves while in the institution, to become self-supporting after leaving it. The manufacture of brooms, baskets, and mats, might well be introduced, and furnish employment to the blind as well as to the deaf and dumb.

The school term closed in June, 1871, with 148 pupils, and in 1872 with 159; at the present time there are 164, of whom 137 are deaf and dumb, and 27 blind.

The Board of Trustees ask appropriations amounting to \$100,000 for 1873 and 1874, as follows:

For current expenses (\$37,500 for each year)-----	\$75,000
For stone portico to main building-----	10,000
For repairs on buildings, for fences, improving grounds and making roads-----	7,000
For foremen, assistants, and for stock in cabinet and shoe shops-----	4,000
For stock, foreman and assistants to teach the blind to make baskets, brooms, mats and chair-seats-----	2,000
For tools, foreman and assistants to teach the blind type-setting and printing-----	2,000

I am of the opinion that the construction of the portico



may be wisely deferred ; that the introduction of printing and type-setting is not now expedient, and that the sum asked for repairs and for current expenses may be judiciously reduced. I recommend appropriations as follows :

To meet current expenses for the two years.....	\$70,000
For repairs on buildings, for fences, improving grounds and making roads .....	4,500
For cabinet and shoe shops .....	4,000
For stock, foreman and assistants to teach the blind to make baskets, brooms and mats.....	2,000
Total.....	\$80,500

Or so much thereof as may be necessary for the several purposes named.

The amount appropriated should be added to the State tax for 1873 and 1874.

#### ASYLUM FOR THE INSANE.

No one of the public institutions of the State, appeals more strongly to the sympathies of every human heart than the Asylum for the Insane. A debt of gratitude is due from the people of the State, to Doctor Van Deusen, its Medical Superintendent, for his unselfish and untiring devotion to the interests of this most unfortunate class of our citizens, under whose care and direction this Asylum has been constructed and maintained, and under whose administration it has attained a most enviable reputation for its complete arrangements, excellence of management, and gratifying success. It has few equals and no superiors.

The number of patients Nov. 30, 1870, was 305 ; during the twenty-two months ending Sept. 30, 1872, 155 were admitted ; the whole number treated during the same period was 460 ; discharged recovered, 56 ; improved, 32 ; unimproved 40 ; died, 27 ; remaining, 305. It will be observed that the number remaining at the close of the last biennial period was the same as at its commencement ; this is accounted for

in the fact that no part of the new building had then been opened, and the old one being full, the admissions could only equal the number discharged. Since the date of the report a portion of the new edifice has been completed and is now occupied; a still larger portion will be in use during the winter, and the whole late in the present year; when completed it will furnish accommodations for 250 male patients, and the old structure, with a capacity for 300, will be devoted entirely to females.

Appropriations are asked by the Board of Trustees, for the next two years, amounting in the aggregate to \$116,238 95, of which \$28,000 are for anticipated deficiencies on account of current expenses for the two years; \$8,600 for a new steam engine, steam pump, enlarging steam and water mains, and for repairs of old buildings; \$7,500 for three stone porches; \$3,444 62 for over-draft on old construction account; \$2,000 for gardener's house and out-buildings, and \$900 for improving grounds. For heating and ventilating apparatus, furnishing steam cooking and kitchen apparatus, cisterns and supply of water, and for gas connections for the new building, \$65,794 33. Nothing for which these appropriations are requested can be deferred without detriment to the best interests of the Asylum, unless it be the porches and the improvement of the grounds; these items, however, are not large, and with them all will be complete. I recommend that appropriations be made for the whole amount, and that the Treasurer be authorized to draw the funds as the needs of the Asylum may require. One-half of the gross sum should be added to the State tax for each of the years 1873 and 1874.

With the capacity of the Asylum, and the number of its patients nearly doubled, it is obvious that the number of its officers must necessarily be somewhat increased. This, however, cannot be done within the limits now fixed by law, as the aggregate amount which can be paid for salaries and allowances cannot exceed \$5,800 per annum. The salary of the

Medical Superintendent is also too small, and should be increased. I therefore recommend that section 1915 of the Compiled Laws of 1871 be so amended as to increase the limitation to ten thousand dollars.

In this connection I would call your attention to the suggestions contained in the Report of the Medical Superintendent, relative to needed amendments to the law, governing admissions to and discharges from the Asylum. So far as I am aware, no case has yet arisen in our State, of persons being forcibly confined in the asylum, when grave doubts existed as to their insanity. It is, however, well known that such cases have occurred in other States, and all proper safeguards should be provided to prevent abuses of that character.

Before the next regular session of the Legislature, all of the Asylum buildings at Kalamazoo will be completed and occupied to their full capacity. When this is accomplished, the State will have made provision for the proper care and treatment of five hundred and fifty insane persons. The census of 1870 reported Michigan as having 1183 cases of insanity; I have no doubt the number at the present time is 1250, considerably more than twice as many as can be received and provided for at Kalamazoo; of these, 250 are reported by the Board of Commissioners for the Supervision of Pauper, Penal and Reformatory institutions, as being in county poor-houses, while others are in jails. The treatment received by these unfortunate people in county asylums, poor-houses and jails, is always unsuited to their condition and often atrocious. Experience elsewhere is uniformly adverse to county asylums, and I do not hesitate to express my firm conviction, that it is the clear duty of the State to provide for the care and treatment of all its people thus afflicted, the chronic and incurable, as well as the curable and more recent cases.

If this position is correct, the question at once arises, is it advisable for the Legislature at its present session, in addition to the required appropriations for the completion of the existing

Asylum, to make appropriations for the construction of another? While I believe that economy, sound policy, and duty all demand that steps should now be taken towards the accomplishment of that object, I am of the opinion the wiser course to pursue, would be, to authorize an appointment by the Governor, of two persons, who, with the Medical Superintendent of the Asylum at Kalamazoo, shall constitute a Board for the selection of a site, and for receiving proposals for the gift of money or lands, or for the sale of lands, to report upon the whole subject with plans and estimates of cost, to the next Legislature. In my judgment these steps will accomplish the object more satisfactorily than direct appropriations at this time.

#### STATE PUBLIC SCHOOL.

By an act of the Legislature of 1871 provision was made for a State Public School for dependent and neglected children; commissioners were appointed and empowered to receive proposals for a site, and to locate and construct the necessary buildings. In response to an advertisement inviting bids for the school, offers of money or land were received from sixteen localities, the largest of which came from the city of Coldwater, responsible parties there offering to donate to the State twenty-seven acres of land and twenty-five thousand dollars in cash. An inspection of the land having been made, this generous proposal was accepted. About twelve acres have since been disposed of, and an additional six acres purchased, the exchange costing two thousand dollars.

The Board having adopted what may be termed the household or family system, the plans for buildings embrace a main central edifice, with wings, and seven cottages; the main building to be occupied by the principal officers, and for dining-room and hospital purposes for the whole school; the wings for school-rooms and industrial purposes, and the cottages for sitting-rooms and dormitories for the children, each cottage to accommodate from twenty-five to thirty.

Proposals were invited for the erection of the buildings, and the lowest bid received was \$63,000. As this sum exceeded the whole amount at their disposal, the Commissioners entered into a contract for the construction of the principal building and four of the cottages, for the sum of \$53,950, the whole to be completed in November next.

The object of this school is "to provide temporary homes until homes can be procured for them in suitable families," for a class of neglected, vagrant, or orphan children now found in our county poor-houses and in the streets of our larger towns, and thereby supply a long-felt deficiency in our public charities.

The superintendents of the poor report the number of children under sixteen years of age maintained in the county poor-houses during the year 1871, as 529; of these 40 were mutes, idiotic, or insane.

It is to be presumed that at least one-half of this number were of the class for which this school was established. It is therefore obvious that provision should be made for not less than 200 children, necessitating the immediate erection of the seven cottages.

In order to provide the three additional cottages, heating apparatus, necessary plumbing, and furnishing for all the buildings, and for fencing and improving the grounds, an additional appropriation of \$38,000 will be required, and also a sufficient sum to support the school for 1874,—the last estimated at \$20,000. I recommend that appropriations, as above stated, or so much thereof as may be necessary, be made, and the amount thereof be added to the State tax of 1873 and 1874.

#### REFORM SCHOOL.

It is very gratifying to be able to state that although our population has increased about fifty per cent since 1866, the commitments to the Reform School, have diminished during the same period nearly twenty per cent. Since the last biennial report 165 boys have been received; 209 have been re-

leased; 1 has died, and 218 remained Sept. 30, 1872; a smaller number than at the close of any previous year since 1864.

About three-fourths of the boys are employed in making cane and flag chair seats. The Treasurer reports their earnings as exceeding \$5,000 a year.

Charges of cruelty having been made against the officers, the Board of Commissioners for the Supervision of Penal and Reformatory Institutions made, at my request, a most careful investigation of the entire management of the School, and especially as to the charges which had been preferred. The result, as reported to me by the Board and published at the time in many of the papers of the State, was not, on the whole, unfavorable to the School. I have no doubt that the examination has been beneficial, and that the School will hereafter prove more satisfactory than ever before.

While it is undoubtedly the case that there are many boys now in our streets who should be in this institution, I am of the opinion that there are many received who ought not to be there; children have been committed for slight offenses, and sometimes upon complaint of parents, or step-parents, made in order to rid themselves of their care or maintenance.

Of the 164 received in 1871 and 1872, the average age was thirteen years and two months; of this number 135 were committed for *petit* larceny. It is worthy of your consideration whether it would not be wise so to amend the law, as to allow courts and magistrates of competent jurisdiction to commit boys under twelve years of age, convicted of a first and slight offense, to the State Public School when completed. The same provision might wisely be made for girls also.

The experiment of the "Family House" has proved eminently successful. Since the last regular session of the Legislature another house has been erected at a cost of about \$12,000, taken from the earnings of the School and the appropriations for its support, and is now nearly ready for occupancy; this will enable the Superintendent to separate the

smaller boys from the older and more vicious,—a classification which recommends itself at once as necessary.

The Board asks an appropriation of \$79,000 for the present and the next year, for the following purposes, viz:

For current expenses \$35,000 a year.....	\$70,000 00
For the erection of a permanent wall around the yard and shops.....	5,000 00
For the improvement of grounds, additional fences and repairs .....	3,500 00
For library.....	500 00

I am of the opinion that \$30,000 with the earnings of the School, will be quite sufficient for its annual support. The other objects are desirable. I therefore recommend a total appropriation of \$69,000, or so much thereof as may be needed, for the two years, viz: \$30,000 a year for current expenses, and \$9,000 for the other purposes already named, and that one-half of the whole amount be added to the State tax for each of the years 1873 and 1874.

#### STATE PRISON.

The number of convicts in the Prison Nov. 30, 1870, was 663; Sept. 30, 1871,—627, and Sept. 30, 1872,—589; a decrease of 36 during the year, and of 74 during the last twenty-two months.

The general aspect of the prison has been much improved; the discipline, though decidedly modified, has been uniformly good; severe and degrading punishments have been almost wholly abolished; the prison has been conducted with a due regard to economy, and the constant aim of the Agent and Inspectors has been to remember that the inmates, though convicts, are human beings, and not entirely lost to the better impulses of the human heart.

The surplus earnings for the last two years, have been smaller than the Board anticipated, owing to the proper increase of salaries made by the Legislature of 1871, the decrease in the

number of prisoners, the embezzlements of a clerk, and other causes beyond the control of the Board. Yet, for four successive years the Prison has been more than self-sustaining, not having drawn a dollar from the State Treasury for current expenses, or ordinary repairs. The net surplus earnings for the twenty-two months ending Sept. 30, 1872, were \$5,581 92, and for the three years and ten months, ending at same date, \$29,866 55.

At the last regular session of the Legislature, an appropriation of \$80,000 was made, which, with anticipated surplus earnings, were to be expended in rebuilding and extending the wall of the prison yard, in the erection of new buildings, and in making other needed improvements. The wall has been completed in a most substantial and satisfactory manner, at a cost of \$44,000; of this sum \$24,000 were paid from the earnings of the Prison, and \$20,000 were drawn from the State Treasury. The balance (\$60,000) of the appropriation remains in the Treasury.

Proposals were invited and received for the new buildings and other improvements, but the lowest bids obtained were so largely in excess of the architect's estimates of cost, that the appropriation was entirely inadequate to cover the expense. The Board, therefore, with my approval, determined to defer the work until the whole subject could be submitted to the Legislature and an additional appropriation made.

There is a very clear necessity for remodeling and improving the Prison. It has no chapel, and, as is well said by the Board, "there is not another prison in America that does not furnish a chapel in which convicts may gather for religious instruction, and the worship of Almighty God." All services are now held in the old, low, and dingy dining-room. There is no hospital. The severely sick, and the dying, those suffering from contagious diseases, and the convalescent, are all huddled together in a single room. There are no bathing accommodations for the sick or the well; the roof of each wing is in



bad condition and should be renewed. The prison in all of its departments is rendered unsafe from its present mode of heating, and the kitchen and cooking apparatus are entirely unfit for use.

Provisions should be made for warming the whole structure and for cooking by steam. An additional tier of cells in the building used for the confinement of the insane, is an immediate necessity. The Board say that an additional appropriation of \$80,000 will be necessary to accomplish these objects.

Believing, as I do, that the comfort, health, and safety of the prisoners demand that these improvements should be made, I recommend an appropriation of the amount asked, or so much thereof as shall be needed, and that the same be incorporated in the State tax for the years 1873 and 1874.

In this connection, I respectfully call your attention to the importance and duty of providing proper medical care and treatment for insane convicts; there being now no provision whatever of this character. In the prisons of some of the States, these unfortunates are not only kept,—as with us, in separate buildings,—but are also placed under the entire charge and control of a Medical Superintendent. Common humanity demands that they should receive proper medical attention.

The reports of the Board of Inspectors, Agent and other officers, contain many suggestions worthy of your consideration, and I would especially call your attention to their recommendations relative to female prisoners, and to needed amendments to the law, regulating the letting of contracts.

#### COMMISSION FOR THE SUPERVISION OF PENAL, PAUPER, AND REFORMATORY INSTITUTIONS.

No subject can be submitted to the Legislature of greater importance to the interests and well-being of the State, than that of the prevention of pauperism and crime; the duty of mak-

ing all proper provision for the care of the needy, and for the reformation, as well as for the punishment of criminal offenders against the law. The attention of the thoughtful and philanthropic has long been drawn to these subjects, and especially to the improvement of the character of the management and discipline of all classes and grades of charitable, reformatory, and punitive institutions.

Under the provisions of Act No. 192 of the Session Laws of 1871, I appointed Hon. Charles I. Walker of Wayne, Hon. William B. Williams of Allegan, and Hon. Henry W. Lord of Oakland, a Board of Commissioners for the general supervision of penal, pauper, and reformatory institutions. In the discharge of their duties, the Board has repeatedly visited the several State institutions, and the Secretary nearly all the county jails and poor-houses in the State. The result of these efficient labors will be found in the able report of the Commissioners, which will be laid before you.

In a former communication to the Legislature I have fully expressed my conviction that our jails, as now managed, are nurseries of vice and crime, and that some features in the management of many of the county poor-houses are revolting in the extreme. I hope that the continued visits of this Board will be the means of accomplishing great improvements in these local institutions, but I respectfully suggest the necessity of your co-operation.

In addition to recommendations of a minor character, the report of the Board concludes with the following:

*First*—"The establishment of a reform school for girls, and if suitable arrangements can be made, in connection with the House of Shelter at Detroit."

I have elsewhere suggested the propriety of sending girls under twelve years of age, when convicted of a first and slight offense, to the State Public School. I have little doubt that arrangements might be made with the authorities of the House of Shelter at Detroit, for the care of such girls as should be

committed to a reform school, and thus render the immediate erection of such school unnecessary.

*Second*—"The creation of intermediate prisons or work-houses."

I believe that an intermediate prison, to occupy a place between houses of detention and the State Prison, is needed, will soon, if it has not already, become an absolute necessity. If satisfactory arrangements cannot be made for the use of the Detroit House of Correction for present purposes, the time may have already come when this important work should be undertaken.

*Third*—"Some better provision for aiding inmates discharged from the Reform School, and convicts discharged from prison, to obtain employment."

This suggestion meets with my full approval.

*Fourth*—"The organization of a Central Board, which shall have the general charge and oversight of all the preventive, reformatory, and penal institutions of the State."

Should you deem it advisable to establish an intermediate prison, our penal laws should be wholly revised, and the several punitive and reformatory institutions might be parts of a well-devised and complete system; in which case the duties and power of the Board might be enlarged, and the general oversight of all placed in its hands, with authority to classify the inmates of each, and to remove and advance them for good conduct from one to another.

*Fifth*—"The establishment of another Asylum for the Insane."

I have already in another connection made known my views on this subject.

*Sixth*—"The establishment of a State Hospital at Ann Arbor, in connection with the Medical Department of the University."

While such an addition would undoubtedly render that department more efficient, I am of the opinion that an expens-

ive undertaking of this character, additional to the supply of other and more pressing wants of the University, is inexpedient.

*Seventh*—"Provision by law for sending dissolute paupers to the Intermediate Prison, or the Detroit House of Correction."

*Eighth*—"A law requiring sheriffs and poor-house keepers to make uniform records in relation to all persons committed to the jails and poor-houses, in the manner to be pointed out by law."

Each of the last two recommendations is worthy of adoption. The report contains many important suggestions, and much valuable information, and should be read by every citizen of the State.

#### STATE LIBRARY.

With much pleasure I call your attention to the greatly improved condition of the State Library, since its removal to its new and attractive quarters. For the first time in many years the Librarian has been enabled so to classify and arrange the books as to make the whole easily accessible. The total number of books and pamphlets is 36,257. For want of sufficient assistance, the present very efficient Librarian has not, as yet, been able to determine how many of these are duplicates. The report of that officer contains many suggestions worthy of adoption.

Owing to the small appropriations for this purpose, but few additions have been made for several years, except by way of exchanges with other States. The Library is greatly deficient in the departments of law, political science, and history; no State Library should be without the leading works on these subjects. The biographies of Statesmen and jurists, a full set of English Reports, the completion of sets of the United States Supreme and Circuit Courts, and of the courts of several of the States, are much needed.

I am of the opinion, that for the next five years \$2,500 per

annum can be wisely expended in making additions to the Library, and I fully concur with the Librarian in recommending an appropriation of that amount for each of the years 1873 and 1874.

#### NEW CAPITOL.

In conformity with the requirements of Act No. 67 of 1871, as amended by Act No. 4 of the Extra Session of 1872, the Board of State Building Commissioners caused advertisements to be published in the cities of New York, Chicago, Detroit and Lansing, inviting bids for the construction of the New Capitol in accordance with the plans adopted. Proposals were received from six parties, as follows: H. Richard, Jackson, Michigan, Columbia (Ohio) sandstone, \$1,896,000, Amherst stone, \$1,888,500; T. Adams & Co., Philadelphia, \$1,818,637; Hopping & Ridgeley, Springfield, Illinois, \$1,700,000; Loomis & Hebard, Chicago, \$1,391,000; William J. Williams, Buffalo, \$1,379,984 97; N. Osburn & Co., Rochester, New York and Detroit, Amherst stone, \$1,208,000, Jackson county (Michigan) stone, \$1,167,000.

Before advertising, the Board in connection with the architect, devoted a very large amount of time to an examination of different kinds of stone, and in re-examining and perfecting the plans, in order to avoid the necessity or occasion for changes or extra work during the progress of construction.

The best Amherst (Ohio) sandstone was adopted as the standard quality; proposals however, were invited, based upon the use of that or any other stone of equal quality from Michigan or elsewhere. One bid only for Michigan stone was received, and that conditional.

A few changes in some of the details, not affecting the convenience or substantial character of the building, having been made, the Board entered into contract with the lowest bidders, Messrs. N. Osburn & Co., for the construction and completion of the new Capitol, for the sum of \$1,144,057 20; the

material to be the best Amherst sandstone, and the edifice to be completed December 1, 1877. The contracting parties are men of responsibility and of large experience in similar work, and under the general supervision of the architect and the excellent Board of Commissioners, will, I have no doubt, construct an edifice creditable to themselves and every way worthy of being the Capitol of our growing State for a century to come. Work has been commenced with commendable energy and will, as far as possible, be continued through the winter months. The excavations for basement and foundation walls are made; necessary machinery and a large amount of materials have been placed upon the grounds in readiness for the vigorous prosecution of the work on the opening of spring.

The whole amount of expenditure to the present time is \$28,864 48.

#### COMPILATION OF LAWS.

The Compilation of the Laws authorized at the last regular session of the Legislature has been successfully completed, and will be of great convenience to the Legislature, and to all who have occasion to refer to the general laws of the State.

Amendments of the Laws have hitherto often been made by simply naming the Act in the Session Laws, without referring to the sections of the Compiled Laws. It would greatly facilitate reference, if hereafter all amendments of general laws should be made by referring directly to the section and chapter of the new compilation.

It has come to my knowledge that copies of the Session Laws and of the new compilation have been placed on sale in considerable quantities by others than officers of the State to whom the control of this matter has been intrusted. The books so offered are often sold at much less than the cost price. Legislation appears to be necessary to prevent an over-issue of volumes, or a misapplication of them by the officers, whose duty it is to make the distribution in the counties.

I therefore recommend that the law be so amended as to

require county clerks, in making requisition upon the Secretary of State, for the number of copies to which the county may be entitled, to state in detail the names of the persons, officers, corporations and societies for whom copies are solicited and that any sale or disposition of the laws not authorized by statute, be made an offense punishable by fine or imprisonment.

#### TERRITORIAL LAWS.

I would call your attention to the propriety of authorizing a publication of such laws of the Territory of Michigan, as are now out of print or inaccessible.

In the several departments of the State, in the courts and with individuals, it is sometimes necessary to refer to these old laws to establish the title to real estate, and to determine other important questions. For their preservation, and for purposes of reference, they should be printed and placed in the State Library. It is estimated that the whole would be comprised in two volumes, of not more than one thousand pages each, and not cost to exceed \$3,000. If published and offered for sale, the State would be re-imbursed for a portion of the expense. I recommend that a publication of 500 copies be authorized, and that a sum not exceeding \$3,000 be appropriated for that purpose.

At a very late date I have been requested by resolution of one of our historical associations to recommend the passage of an act providing for the collection and preservation of old papers and official documents relating to the history of the Territory and State. The subject is one of considerable importance, and I refer it to you for such action as you may see fit to take upon it.

#### CONSTITUTIONAL AMENDMENTS.

The amendments to the State Constitution, submitted to the people at the recent November election, were all defeated.

Two of these were, in my judgment, of much importance, and I should fail to discharge what I conceive to be a clear duty did I not here record the expression of my profound regret at their failure.

While my views regarding the insufficiency of the salaries paid to the State officers and to the judges of our State courts, have been too fully made known in former communications to the Legislature, to be misunderstood, I cannot now refrain from again expressing the opinion that the best interests of the State, clearly demand that the compensation now paid to these officers and judges should be increased. The present low salaries were fixed when the State had about one-quarter of its present population, and less than one-twentieth of its present taxable valuation; when the cost of living was less than one-half what it now is, and when the salaries were about equal to those received in other vocations.

The business of the several departments of the State government demands that the Governor, and the principal officers, should reside at the Capital; it is impossible for them to do so with the present salaries.

The judiciary should be composed of men not only of the purest character but of high legal attainments; it cannot be expected that such men can be secured for a remuneration entirely insufficient for their support. Already, since the failure of the recently submitted amendment, several of the judges have resigned, and others will do the same. The vote upon this amendment was small, and I respectfully submit the propriety of again placing the question in some form before the people for their ratification.

No citizen of Michigan would more earnestly have opposed any amendment of the Constitution which would have authorized the issue of additional "railroad aid" bonds than myself. The proposed amendment, recently defeated, did not contemplate any such issue, and did not even compel the payment or acknowledgment of a single bond heretofore issued; it simply



provided that such bonds as had been earned and delivered in good faith, prior to the decision of the Supreme Court, might be paid by the localities which had issued them, provided the voters of such municipality should elect to do so.

#### INCORPORATION OF CITIES AND VILLAGES.

In compliance with an act of the Legislature of 1871, authorizing the Governor to appoint a special Commissioner to draft and prepare a bill or bills for the organization of cities and villages by general law, as contemplated by the Constitution, the same to be submitted to the Legislature for its action at the next session, I appointed the Hon. Andrew Howell of Lenawee, who has prepared two bills for the purposes named, and will report them to you at once.

As a very considerable portion of the time of former sessions of the Legislature has been occupied in the consideration of city and village charters, it is to be hoped that the bills to be presented will receive immediate consideration and approval, and thus save a large amount of time, as well as the large expenditure of money heretofore required and made for printing bills and special acts of that character.

#### IMMIGRATION.

The Reports of the Commissioner of Immigration, resident at Hamburg, and of the Local Agent in New York, will be laid before you.

During the past year there has been issued at Hamburg, a second and third edition of a pamphlet, containing a map of Michigan, with a description of its climate, productions, and other advantages; the publication at the same place of a small monthly paper devoted to the same purposes, and furnishing general information useful to emigrants, has been continued by the Commissioner. Both publications have been gratuitously circulated in large numbers in Germany, Austria, and Denmark.

The Commissioner reports the number of persons, known to have emigrated to Michigan under his direction, as 2,722.

The Local Agent has devoted his time to receiving, forwarding, and sometimes accompanying to the State, persons arriving at the port of New York for this destination. He reports the number of such arrivals in 1871 as 6,810, and 1872 as 11,923.

An association has recently been organized in Saxony, with a view of emigrating in a body to Michigan. Three of its delegates are now here, and are reported by the Local Agent as having located in one of the northern counties a large quantity of land intended for use and occupation by the colony next spring. Several other similar associations are reported as being formed in Germany and Bohemia.

The Commissioner resident in Germany has unquestionably accomplished much good, by removing prejudices and changing public opinion in regard to the character of our State, and I have no doubt good results from his labors will follow for years to come; it is, however, doubtful whether they have been sufficiently favorable to render advisable the continuance of the Commission. I submit the whole subject to your examination and determination.

#### GEOLOGICAL SURVEY.

This undertaking has been prosecuted with as great a degree of vigor as the limited means at the disposal of the Board would allow. Almost the entire work of the last two years has been devoted to the Upper Peninsula. The copper region has been under the supervision of Prof. Raphael Pumpelly, the Marquette iron region under the direction of Major Thos. B. Brooks, and the eastern portion in charge of Dr. Charles Rominger.

Until a recent date the Board has expected to be able to place before you, at the commencement of the session, the full and valuable reports of these gentlemen, with numerous maps,

charts, and illustrations; the reports, however, are in the hands of the engraver and publisher, and it is confidently expected that the whole can be placed upon your tables before the close of the session. The interesting report of Dr. Rominger has been printed in pamphlet form, in advance of the volume, and will be laid before you at once.

In prosecuting the survey, the Board, after a full examination of the subject, found it much more economical to complete, or nearly so, the Upper Peninsula, before undertaking the Lower; the former having been now substantially accomplished, it is desirable that the law be so amended as to allow the Board, at its discretion, to expend the entire appropriation upon the latter.

#### ST. MARYS' FALLS SHIP CANAL.

The improvements now being made by the general Government, on this important public work, are progressing with as much rapidity as could reasonably be expected, when it is remembered that most of the labor can be performed during the winter months only. When these improvements are completed the capacity of the Canal will be more than trebled, the projected depth being three and a half feet greater than now. The cost of the enlargement will probably exceed one and a half millions of dollars, of which \$800,000 have already been appropriated by Congress.

The necessity for the enlargement of this national highway is apparent when we consider that the time is not far distant when Lake Superior and the Pacific Ocean will be united by a continuous line of railway, with its many tributary lines, and also when we observe the steady development of the products and wealth of the Northern Peninsula of our own State.

The amount of ingot copper produced in 1858 and 1859 was 7,000 tons, valued at \$3,776,000; of iron ore and pig metal 105,601 tons, valued at \$824,731; total of copper and iron 112,601 tons, valued at \$4,600,731.

In 1863 and 1864, ingot copper 13,000 tons, valued at \$10,530,000; iron ore and pig metal 444,027 tons, valued at \$3,284,150; total of copper and iron 457,027 tons, valued at \$13,814,150.

In 1867 and 1868, ingot copper 18,185 tons, valued at \$8,732,000; iron ore and pig metal 1,020,946 tons, valued at \$7,152,420; total of copper and iron 1,039,131 tons, valued at \$15,884,420.

In 1871 and 1872, ingot copper 25,145 tons, valued at \$13,544,160; iron ore and pig metal \$1,824,604 tons, valued at \$14,013,445; total of copper and iron 1,849,749 tons, valued at \$27,557,605.

The total tonnage of vessels, both steam and sail, that passed through the canal both ways during the season of 1871, was 752,100.54 tons, and during 1872, up to November 20, 895,707.68 tons.

The receipts for tolls in 1871 were \$33,865 45, and in 1872, up to November 20, \$40,376 09.

The amount of State Bonds now outstanding on account of the Canal, is \$73,000; the balance to its credit on the books of the State Treasurer is \$65,647 11.

The State having been nearly re-imbursed for its advances and liabilities, the time will soon come when, in accordance with the provisions of An Act of Congress donating to the State public lands for the construction of the Canal, it will become the duty of the Board of Control to materially reduce the rate of tolls for its use, so that its gross receipts shall be only "sufficient to pay all necessary expenses for the care, charge, and repairs of the same."

#### PORTAGE LAKE AND LAKE SUPERIOR SHIP CANAL.

Owing to the financial embarrassments of the Company which has been engaged in the construction of this important Canal, its progress has been greatly retarded. The creditors of the Company, assumed late in last summer to prosecute

the undertaking, and have already accomplished much ; for although the Canal is yet in an unfinished condition, several steamers have passed through into Lake Superior. It is the declared intention of those now in charge of the work to have it completed ready for approval during the next summer.

This great public improvement is being constructed by means of appropriations by Congress of 400,000 acres of the public lands ; many of these are reported as containing mineral deposits of great value, others as covered with large quantities of valuable timber.

In conferring these lands upon the Portage Lake and Lake Superior Ship Canal Company, the State reserved the right "to regulate and determine the tolls to be received for the use of the canal and harbor, and to apply them, so far as necessary, to the improvement and preservation of the same."

I therefore recommend such legislation as shall carry out the evident intention of Congress and of the State Legislature. In order that this whole subject may be more fully understood I respectfully refer you to that portion of the biennial message relating thereto, which I had the honor of submitting to the Legislature at the regular session of 1871.

#### RAILROADS.

Among the causes which have led to the rapid development of the State during the last few years, railroads have unquestionably been the most important. Few even of our own citizens probably realize the great extent to which these enterprises have been prosecuted in the last four years. On the first day of January, 1869, Michigan had 1,199 miles of railway in operation ; since that date 1,808 miles have been completed, or one hundred and fifty per cent more than the entire length constructed during the whole previous history of the State. The cost of the roads within the four years, including equipment, cannot be less than fifty-four millions of dollars ; and of the entire length completed, but 457 miles receive the

benefit of land grants, viz.: the Grand Rapids and Indiana, 187 miles; Jackson, Lansing and Saginaw, 118 miles; Flint and Pere Marquette, 60 miles; Chicago and Northwestern, 60 miles; and Marquette, Houghton and Ontonagon, 32 miles.

The roads already in operation, with others now in process of construction, will soon afford ample railway facilities to every portion of the State.

Within the month just past, the last connecting links have been laid, and direct railway communication opened between the Capital and the head of Keweenaw Bay, on Lake Superior.

It is confidently expected that one or more lines, now reaching far towards the Straits of Mackinac, will be completed and opened for traffic to that point before the close of the present year, and that the time is not far distant when these, with the roads recently completed and others to be constructed in the Upper Peninsula, will, in connection with the Northern Pacific, furnish a continuous railway communication from all parts of the State to the Pacific Ocean.

#### MILITARY.

At the extra session of 1862 an act was passed for the re-organization of the military forces of the State. In order to procure the necessary funds to carry out the provisions of the act, it was made the duty of the Auditor General annually to apportion among the several counties of the State, a military tax equal in amount to fifteen cents for each vote given for Governor at the next preceding gubernatorial election.

If the Legislature intended to give greater efficiency to this branch of the public service, and to encourage the organization of volunteer uniformed companies by this act, its design has not been fully accomplished.

On the 30th of September last the entire militia of the State consisted of nine companies, organized as State troops; since that date three additional companies have been formed, making the entire number twelve; of these, two are located at Detroit,

and one each at the following named places: Ann Arbor, Adrian, Tecumseh, Monroe, Coldwater, Jackson, Hudson, Grand Rapids, Flint, and Ypsilanti. All are furnished with the most improved infantry arms now in use.

The aggregate State military tax for the last four years amounts to \$123,558 90, an annual average of \$30,889 72, while the entire military expenditure for the same period, including salaries and rents, has been \$29,403 23, equal to \$7,350 81 a year; or including \$13,105 28, disbursed by the Military Board for the support of the Soldiers' Home, and other purposes, a total of \$42,508 51, being an average of \$10,627 52 per annum.

The military tax for the four years has, therefore, exceeded the gross expenditures for the same time of every department connected with the military affairs of the State, in the sum of \$81,050 39. At every regular session of the Legislature since this tax was established, some portion of the balance then standing to the credit of the Military Fund has been diverted *from the purpose for which it was designed*, by being appropriated to other objects. The balance to the credit of this Fund, at the close of the fiscal year, was \$64,423 27.

While I am of the opinion that, under a Republican form of government, large and expensive State military organizations are neither necessary nor desirable, yet the experience of the past shows the importance of maintaining more or less of a force, and I respectfully suggest the propriety of an examination of our laws upon this subject, with a view of adding to its efficiency. If, after such consideration, you deem it undesirable to make material changes, I submit whether it is wise to continue the military tax upon its present scale.

The Roll of Honor prepared by the Adjutant General, containing the names of nearly 15,000 of Michigan's noble dead, has been completed on parchment, substantially bound, and placed in the State Library, as ordered by the Legislature of 1869.

For old and unserviceable ordnance stores sold by the

Quartermaster General, under my direction, as authorized by Joint Resolution No. 4, of 1871, \$1,953 85 have been paid into the State Treasury.

The State Military Board has continued its watchful care over the sick, infirm, and otherwise needy soldiers of Michigan. For those who need but temporary assistance, a comfortable home is still provided at Harper Hospital, while such as require aid of a more permanent character, are sent to the National Asylum. The whole number admitted to the Home from December 1st, 1870, to September 30th, 1872, was 155, of whom 34 were transferred to the National Asylum; 103 were discharged; seven died, and 11 remained. The expenditures for the same period were, for the support and treatment of the inmates of the Home, \$6,353 20; aid extended to soldiers outside of the Home, \$342 81; for transportation, \$251 30; for contingent expenses, \$278 85, making a total for 22 months of \$7,226 96, equal to \$3,941 98 per annum. The number seeking assistance is represented as annually increasing, and the Board therefore ask that the appropriation for this object be raised to \$5,000 a year.

Attention is also called to the fact, that the State has never provided grounds for the interment of soldiers dying at the Home. The Board estimate that at least \$6,000 will be required for the purchase of suitable grounds, improvements, and the removal of bodies already interred, and ask an appropriation for this purpose. I recommend that appropriations be made for both purposes, payable from the Military Fund, and for the amounts asked, or so much thereof as may be necessary.

As all just claims against the State growing out of the late Rebellion have unquestionably been presented and paid, the duties of the Board must hereafter be light, and I therefore recommend that the law be so amended as to reduce the Board to three members.



## BOUNTIES.

Under the provisions of Act No. 132, Laws of 1871, any bounty heretofore authorized by the laws of this State, is to be paid by the State Treasurer upon the warrant of the Auditor General, and no warrant can be issued until the claim has been examined and found to be valid by the Quartermaster General and the Auditor General. Prior to the law of 1871 these claims were paid by the Quartermaster General. The entire amount of State bounty paid at the office of the Quartermaster General prior to January 1, 1872, was \$1,783,414; paid by the State Treasurer since that date, \$750; total, \$1,784,164.\*

Believing that additional safeguards for the protection of the State against improper claims were advisable, in 1870 I requested the Quartermaster General to suspend the payment of all claims for bounty until a careful examination of vouchers for former payments could be made. The Legislature of 1871 authorized this delay in paying bounties to be continued until the investigation then being made should be completed. The result of an examination of the books, papers and vouchers, made in the office of the Auditor General, will be found in the report of that officer, and from which it appears that erroneous or over payments for bounty had been made to the amount of \$39,925. These payments were made during the terms of four successive Quartermaster Generals; of which amount \$250 were paid in March 1863; \$24,175, between May 1863 and February 1865; \$13,650, between March 1865 and December 1866, and \$1,850 between January 1867 and March 1870. The whole subject is referred to you for such action as may be deemed just and wise.

But few legitimate claims for State Bounty can now be outstanding, and I respectfully suggest for your consideration the propriety of fixing a limit, as to time, after which no claim of this kind shall be entertained or paid.

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\* This is the amount as stated by the Quartermaster General. The amount, as appears from the Report of the Auditor General, is \$1,804,825 00.—*Aud. Gen. Rep., 1872, App., p. 257.*

## GETTYSBURG AND ANTIETAM CEMETERIES.

There is an unexpended balance of \$854.80, standing to the credit of the appropriations made by the Legislature in 1864 and 1865, for the Soldiers National Cemetery at Gettysburg, and \$769.70 of the appropriation made in 1867 for the Antietam National Cemetery. Both of these cemeteries having been completed, and Michigan having promptly paid its full share of the cost in each instance, I recommend that the balances referred to be transferred to the General Fund.

## WAR AND OLD CLAIMS.

The amount of war claims against the General

Government presented by my predecessors was	\$773,024 38
Filed during my incumbency.....	59,993 00

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Total.....	\$833,017 38
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On these claims my predecessors

received.....	\$707,399 69
Received by me.....	77,927 55

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Total.....	\$785,327 24
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Balance unadjusted, \$47,690 14, and out of this very little will be realized.

I have on several occasions asked permission to file with the Treasury Department, at Washington, a claim for interest on the advances made by the State, but have been advised, as there existed no authority of law for the payment thereof, such claim could not be considered.

During my term of office the sum of \$40,086 73, being five per cent of the net proceeds of sales of the public lands in this State, has been received from the United States and paid to the trustee of William Beard and others, in conformity with the provisions of Joint Resolution No. 12, of 1869, towards liquidating the old claim for the improvement of the Muskegon river.

The claim against Henry Johr and sureties is pending in the Supreme Court. The State recovered a judgment of nearly \$11,000, and the defendants have taken the case to the Supreme Court. The case will probably be disposed of at the present January term.

The old claims against George M. Dewey, and also against the Phoenix Bank have been settled.

#### VITAL STATISTICS.

Your attention is respectfully directed to the Fourth Annual Report of the Secretary of State, relative to births, marriages, and deaths. This report has been prepared with great care, and is a work of much interest. It has been suggested by those who have given this subject much thought and attention, that the organization of a State Board of Health would greatly conduce to the general welfare of the commonwealth, by so utilizing these statistics as to show their bearing upon the physical, moral, and mental condition of the people.

The expense of such a Board need not materially increase the cost of this work, as it now occupies the time of an additional clerk in the office of the Secretary of State, and the same duties would be performed by the Secretary of the Board, who should be its only salaried officer. While the expense would be small, great good might be accomplished in the way of sanitary reform. The subject is entitled to your careful consideration.

#### *Gentlemen of the Senate and House of Representatives :*

I have endeavored to give you, as briefly as I could, a statement showing the condition and wants of the State and its several institutions. I cannot conclude this my last official communication to the Legislature, without expressing my very grateful acknowledgments to previous Legislatures for their hearty approval of my recommendations; and to those who have been associated with me in the State Government,

my thorough appreciation of the courtesy and aid which I have ever received at their hands.

And now, after four years of laborious public service, under profound obligations to my fellow citizens for the high honor they have twice conferred upon me, and for the many manifestations of their generous confidence and support, I gladly return to the congenial pursuits of private life, and relinquish to another the responsible trust committed to my care.

Invoking the blessings of Heaven on your deliberations, on my successor, and on the people of our beloved State, I tender to you all my farewell salutations.

HENRY P. BALDWIN.

EXECUTIVE OFFICE, }  
*Lansing, January 1, 1873.* }

After which, on motion of Senator Wheeler,  
The joint convention took a recess until 2:30 P. M.

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AFTERNOON SESSION.

2½ o'clock, P. M.

The joint convention was called to order by the President of the Senate.

The roll of the Senate was called by the Secretary thereof, and a quorum was present.

The roll of the House was called by the clerk thereof and a quorum was present.

The President announced that the joint convention had assembled to receive any communication which His Excellency, Governor John J. Bagley, might be pleased to make.

Senator Childs moved that a committee of five be appointed to wait on His Excellency, the Governor, and the State officers, and inform them that Senate and House were assembled in joint convention and were ready to receive any communication the Governor might be pleased to make.

Which motion prevailed.

The President appointed as such committee, Senators Childs and Prutzman, and Representatives Shaw, Parsons, and E. C. Watkins.

After a short absence the committee returned, and reported that they had performed the duty assigned them, and that the Governor, ex-Governor, and State officers were in attendance.

Governor Bagley then read his message, as follows :

#### SENATORS AND REPRESENTATIVES :

In executing the trust reposed in me by my fellow citizens, who have called me to the responsible position of Chief Magistrate of the State, I shall strive not to forget, that it is indeed a *trust*, and not a power.

Pursuant to the requirements of the Constitution, my honored predecessor has given you a full and succinct statement of the condition of the State and all its institutions, with such recommendations as his long experience and thorough knowledge regarding them suggest. In nearly all of these, I most cordially concur. I shall only, therefore, submit as briefly as possible, such additional recommendations and suggestions as I deem worthy of your consideration.

#### STATISTICS OF THE STATE.

The wonderful growth of the State in every direction, through the development of our great natural resources, is a surprise even to ourselves. Few of our citizens fully realize what we are as a State. We have scarcely any authentic statistics relating to our chief productions. Were we to be asked how many millions of feet of lumber, tons of iron, barrels of salt, or bushels of grain the State has produced within the past year, I presume no one of us could give an intelligent answer.

I recommend the establishment in the office of the Secretary of State of a Bureau of Statistics, whose duty it shall be to procure from the railroads, custom houses, and other sources, the statistics of the receipts and exports of our leading productions, such as grain, lumber, iron, copper, salt, staves, cattle,

beef, pork, fruit, and wool. It would not be difficult to gather these facts, as all our exports are either by rail or water, and the railroad and custom house books are so kept that they show exactly how much of all these articles are transported and where from, and where to. This information would be of great value to ourselves, even if it never went beyond our own borders; but I am of the opinion that it would be of great benefit to us in attracting emigration and capital to our State, not only from other States, but from foreign countries. The whole expense ought not to exceed three or four thousand dollars per annum, and it would be a wise expenditure of money.

#### CORPORATIONS.

The State by its legislation should, in the business of banking and insurance, and in its control of railroads, be the guardian of its citizens. These important interests are the creatures of legislation, and should always be kept within State control.

#### INSURANCE.

Insurance, both life and fire, is almost entirely conducted by foreign companies. The present law controlling them is very stringent. It practically says to the people: "If an insurance company offers to insure your life or your property, you may be certain that the State, by its laws, has faithfully endeavored to see that the company is responsible." No good company objects to the stringency of its provisions. The law empowers the Commissioner of Insurance to visit any company doing business in this State, at the expense of such company, and to make a personal examination of its affairs. It is not often necessary to do this; but the Commissioner is so overburdened with the other duties of his office, that he cannot do it, even in the few cases where it is desirable.

I recommend that the insurance act be so amended as to

give the Commissioner the needed assistance, by the appointment of a deputy, with a sufficient salary.

Our Insurance Department, in its present features, I believe is not equaled in any of the States of the Union. The labors of the Commissioner are arduous and complicated. Only one clerk is authorized by law. The whole expense of the office is but trifling, while the income derived from it is very large, and increasing yearly. The receipts from specific taxes levied on insurance companies for the year ending September 30th, 1872, were \$95,975 32.

#### BANKS.

There are in force two distinct banking acts.

The general banking law applies to ordinary banks of deposit and discount. It was passed in 1857, and an amendment to it, authorizing savings banks, was added in 1871. Another act, authorizing savings associations, was passed in 1869.

There are now in operation twenty-three banks under these acts, fourteen of which are general, and nine are for savings. Eight of the savings banks reported deposits of \$3,239,770 18 September 30, 1872.

The establishment of savings banks in so many of our cities and towns is one of the many evidences of the growing prosperity of our people; and if they are well conducted and honestly managed, there is nothing that will add more to the general well-being, and well-doing of the community. Temperance, industry, economy, and thrift are the natural outgrowth of legitimate savings institutions. It is therefore the duty of the State to foster and encourage them, and also to throw about them every possible safeguard of security and stability. One badly managed savings bank would bring distress upon many persons, and distrust upon the whole system. A large proportion of the deposits are from the industrial classes, and their pursuits, if nothing else, prevent them from

knowing much of the solvency, or even the general reputation for solvency, of banks. It is the duty of the State to take care of this for them, by its laws, just as it does by the insurance companies.

The act of 1869 allows savings banks with a capital paid in of only \$5,000; which is, in my opinion, much too small an amount. The act of 1871 fixes \$25,000 as the amount of capital in cities of small population, and \$50,000 in the larger cities. This act is, in almost all its features, a good one, and contains many desirable safeguards. It might, however, be made much more safe, without annoyance to officers or stockholders, or any diminution of profits.

I would respectfully recommend the repeal of the law of 1869, and a revision of the general banking law, with additional legislation, providing for the establishment, in the office of the State Treasurer, of a Bureau of Banking; the examination of banks by the head of the Bureau; and requiring reports to be made and published, similar to the provisions of the National Banking Law. The expenses of such Bureau should be borne by the banks, proportionately to their capital.

It is very questionable whether ordinary banks of deposit and discount should have the powers and privileges of savings banks; and whether savings banks should be permitted to do a general banking business.

With our fast increasing population, growing wealth, and rapid industrial development, banks will multiply in a corresponding ratio, and I believe it to be one of the most important legislative duties to enact a strong and stringent banking law.

So believing, I commend the subject to your careful consideration.

#### RAILROADS.

Railroads, within this State, have greatly increased in number during the past few years.



The aggregate number of miles now in operation is about 3,000. Many of them are being extended, new ones are projected, and others are in process of construction.

It needs no prophetic eye to see that the day is not far distant when these roads will traverse the State in all directions. The corporations which own and manage them are creatures of the State. The powers which they exercise in the construction and management of these roads are derived from Legislative grant. The continued control of the State over them is reserved by the Constitution, and is complete as to all, except specially chartered companies; and as to these, the Legislature has full power to prescribe all mere police regulations. The duties, obligations, and rights of railroad companies, in the conduct of their business as carriers of persons and property, should be made the subject of the most careful legislation. Our present railroad law is in many respects imperfect. It is impracticable here to enumerate in detail the existing defects; but many of them will be readily suggested, upon a careful examination of the subject.

I cannot, however, omit to call your attention to the necessity of some better and more stringent regulations in respect to highway crossings. The instances of persons killed at these points are quite frequent, and the destruction of private property is very great. Regulations should be made and enforced which will render these occurrences next to impossible. The cost to railroad companies for the necessary precautions to ensure the safety of the lives and property of the people is in no way to be compared with the value of a single human life. I commend this subject to your careful attention.

I would respectfully suggest proper legislation, establishing the office of Railroad Commissioner, whose duty it shall be (under proper regulations) to see that the provisions of the law relating to railroads and railroad companies are enforced and obeyed. It is not now the duty of any one in particular, to see that the requirements of the law for the protection of life and

property, are observed by railroad companies ; and for this reason, their employees and agents become careless and neglectful of their duties. I believe that such an officer, acting under authority of the State and in its behalf, would be of inestimable service, not only to the public at large, but to the railroad companies themselves.

Railroads are so great a necessity to the development and growth of the State, they occupy such an important position in the commerce and business of the State, that they deserve liberal and generous treatment in legislation. But while granting this, we should see to it that they so conduct their business as to cause no unnecessary injury to any one. The State has a duty to perform in this regard, which should not be neglected.

#### STATE PRINTING.

I beg to call your attention to the large expense of the State printing under the existing system. This expense has been for the past four years nearly \$75,000 per annum. This includes paper, printing, blanks and blank books, and binding. There is no printing ordered excepting that authorized by law, and it is done well and cheaply by the State printer. The fault is in the system itself. The quantity of this expensive work is, in my opinion, much too large in most cases. The law provides that in the years in which the Legislature meets, four thousand copies of the reports of all the State officers, Boards of Trustees, etc., of all the State institutions shall be printed, and occasionally the Legislature orders even more than this.

Six thousand copies each of the "Vital Statistics," "Agricultural Report," and "Pomological Report," and fifteen hundred copies of the Report of the Insurance Bureau, are printed annually. These volumes are from 400 to 500 pages each. Every two years nine thousand copies of the laws passed by the Legislature are printed. The laws of 1871 were pub-

lished in three volumes. Of these the general laws made a volume of 528 pages; the local and personal acts made a volume of 329 pages; while the special laws, consisting of city and other municipal charters and amendments thereto, made a volume of 1438 pages. The laws of 1869 made three volumes of about 750 pages each. The House and Senate Journal make five volumes of about 900 pages each; and five hundred copies, making twenty-five hundred volumes, are printed every two years. Almost all of these are the official record and history of the State and its different institutions; and they should be printed for the use of different officers, and for preservation in the archives and public libraries of the State. But the quantity provided for by law is in many instances twice, and in some instances ten times more than is necessary. For instance: it is not necessary to print nine thousand copies of the special laws, incorporating municipalities, etc. These are only local in their operation, and of no general interest. One or two thousand copies would be amply sufficient. Of the local and personal acts no more than two thousand copies are needed. Six thousand copies of the "Agricultural Report for 1871" were printed, costing something over a dollar per volume. There has been a demand for all the copies printed, owing I presume, to the fact that they are given away. These books are all printed in large type and leaded, adding largely to their cost. There is not the slightest necessity of this, and it should be discontinued. The statutes of the United States are printed without leading, and are certainly as distinct and legible as a book need be. It does not appear to have been made the duty of any one in particular to superintend the public printing, or to endeavor to save the State expense in connection therewith. I recommend that all the laws relative to the public printing of the State be carefully revised, with additional legislation, specifying the number of volumes of each class to be printed, the size of type and quality of paper to be used, and such

other regulations of the matter, as are consistent with a due regard to the public needs and an enlightened economy. I believe that a superintendent of public printing, whose duty it should be to supervise all the printing ordered for the State, would save to the treasury a large sum annually.

The printing of the Supreme Court Reports should be thrown open to whoever may choose to do it, under such regulations as the State may direct. It is questionable whether the State should embark in the business of publishing law books. The books of the Auditor General show that the receipts from the sale of the Supreme Court Reports, from Vol. I. to Vol. XXI. inclusive, have not equalled the cost of printing by the sum of \$29,205. From this sum, however, there should be deducted one fifth of the amount, for the volumes taken by the State.

The accounts of the State with the different State Reporters should be settled ; and I suggest that authority be given to the Board of State Auditors to adjust and settle them.

#### PUBLIC LANDS.

At the close of the fiscal year ending September 30th, 1872, there were belonging to the State 3,051,954 acres of land. The prices put upon these lands were established years ago, long before the present growth and development of our railroad system was supposed possible. The construction of railroads into and through these lands must have increased their value very largely, and I know of no reason why the State should not reap a portion, at least, of the benefits arising therefrom, and put a higher price upon such lands as from their location or other reasons have increased in value. When the question of granting lands to aid in the construction of railroads was agitated, one of the strongest arguments used in favor of the scheme was that the building of such roads would largely increase the value of the State lands; and this has undoubtedly been the effect. Yet the State is receiving no adequate

benefit from it. Ought not the lands belonging to the State to be thoroughly examined and appraised, and the price graduated according to their value from location, timber, soil, etc.?

#### EDUCATION.

Our State educational institutions again present their biennial budget of needs for your consideration. The University, unlike most of its sister institutions of other States, has no endowment from private sources. It is dependent on the good sense, the enlightened judgment, and the general desire for education, of the people of the State; and to them it looks with the confident belief that its past history, its capacity for future good, its open doors for all who seek admission, will induce them to deal liberally with it in the future as it has done in the past.

There can be no such thing as a mere passive existence to such an institution. It must progress or it must die. It must keep step with the advancement of the age, the requirements of the quickened intellect of its time, and the growing demand for a varied education. Its Faculty should be paid better salaries, its apparatus should be improved, and its library largely increased. In short, it should be furnished with all the appliances to enable it to give its twelve hundred students the best of everything that kindred institutions offer, and that a liberal, practical education requires. This the University cannot do with its present means; and to accomplish it, the appropriations will need to be liberally increased. The Agricultural College, in its sphere, and with a much smaller number of students, is a co-worker with the University, and has a proportionate demand upon your considerate attention. Its Trustees and Faculty are laboring with earnestness and zeal to increase its usefulness, and enlarge its power for good. By its system of labor and study combined, it offers to all, without expense, a liberal practical collegiate education. The attendance is not so large as its merits as an educational institution deserve.

There is an education that our schools, University, or Agricultural Colleges do not yet offer, which we need and should have ; and that is a practical technical education, that will fit men and women to grapple with life as they find it,—earnest, laborious, and real. We should have somewhere, either in the University or Agricultural College, a School of Technology. Both of these institutions are accomplishing more in this direction than many of the colleges of the country ; but they cannot, with their present facilities and appliances, fill this want existing in our educational system. No State in the Union needs, more than ours, educated farmers, mechanics, manufacturers, architects, engineers, chemists, etc. Our forests and fields, our mines and railroads, our manufacturing and agricultural interests, all require the services of educated skill in their development and management, and offer to all as remunerative employment, honorable career, and ultimate success, as what are called the “learned professions.”

Yet, with this vast field of labor inviting our young men to enter in and take possession, a very large majority of them seek these “learned professions” instead, chiefly because our system of education, from the home to the University, has pointed in that direction ; also, because we have had no institution in which they could pursue a purely technical and scientific course of study.

Might not the Agricultural College, with its munificent endowment from the General Government, be made to fill this vacancy, and be enabled to furnish this much needed education, combining the study of agriculture with that of mechanics, engineering and manufacturing, chemistry and mining, architecture and designing, and eventually give to the State a band of practical, scientific workers, fitted and ready to take hold of the world’s work, with courage and skill ?

#### STATE BOARD OF HEALTH.

The establishment of a State Board of Health is urged upon

your consideration by the State Medical Society, and by many thoughtful persons, who have given the subject careful study. That it is the duty of the State to aid in protecting and preserving the lives of its citizens, requires no argument. We build and maintain asylums for this end; we regulate with minute detail the running of railroads, that life may be made safe and secure thereon; we forbid the sale of adulterated food, medicines, oils, etc.; all showing that the State recognizes its duty in this matter. An active working State Board of Health, not overloaded with theories, composed of practical, sensible men, would doubtless be of great service in preventing disease, preserving life, and diffusing among the people a more general knowledge of the laws of health.

This subject is attracting the notice of governments and individuals throughout the civilized world, and is worthy of your thoughtful attention.

#### THE WARDS OF THE STATE.

I hold to the firm belief that all insane and idiotic persons, and all deaf, dumb, or blind children, are the wards of the State; and that it should exercise for them, and over them, the same loving care, so far as possible, that a wise parent would over his children. It matters not whether they be rich or poor, educated or ignorant. The State alone, in asylums and schools adapted to their various needs, should do for them what humanity dictates and duty demands.

In the erection of the asylums at Kalamazoo and Flint, we have shown that we are not unmindful of our duty in this regard. It has cost a large amount of money to establish these institutions, and they require a large sum annually for their support. We may criticise this or that expenditure in their construction, or in the manner of conducting them; but, after all, they stand forth as enduring monuments of the Christian charity and loving care of our people, for the unfortunate among them. They are managed by trustees of our own choosing, and are conducted with a due regard to

economy and care. They will continue for all time to come to need our generosity, as they have had it in the past. We should exercise a liberal economy in providing for their wants, and ask of their managers, faithfulness in all expenditures.

The Insane Asylum at Kalamazoo is recognized as one of the best in the world,—not alone in its construction, but also in its management. If the appropriations asked for by the Board of Trustees are granted by you, the extension already begun will be completed and furnished, and the entire structure finished. It will then accommodate about 550 patients, and this is as large a number as should ever be placed in one institution.

And yet our work in this direction is only half done. There are fully as many more of our own insane unprovided for by us,—many of them in private asylums in other States; some of them in private asylums in this State; and from three to four hundred in our jails and poor-houses. I have not been able to ascertain the number in the poor-houses for the year 1872; but in 1871, it was 332. We should at once take steps to secure a suitable location, and provide for the erection of another Insane Asylum. No private Insane Asylum should be permitted within our borders. Our citizens should not be compelled (as they now are) to send any insane members of their families to a distant State for treatment; and above all, no insane person, curable or incurable, should be within the walls of any jail or poor-house in the State. Many of our jails and poor-houses are a disgrace to our civilization; but in the best of them, no reasonable expenditure of money, nor the kindest of treatment, can accomplish any such results in care or cure as can be secured in an asylum, devoted to this purpose and under the control of the State.

There were, in 1871, 127 idiotic persons in the poor-houses of the State. If you should decide to take action regarding a new asylum, provision might be made for these “babes of



God," in the same structure. I most sincerely hope it may not be long before we will be enabled to empty every poor-house and jail in the State of its insane and idiotic inmates. Every consideration of humanity and charity urges on this work. I beg to commend this subject to your most careful attention.

The Institution for the Deaf, Dumb, and Blind, at Flint is practically complete, so far as the building itself is concerned. It now has 160 inmates, and could accommodate many more. It is doing a grand work in the education of its inmates—not merely in the usual school-book lore, but also in useful trades by which they can support themselves. Its benefits should be much more widely diffused. There are no reliable statistics as to the number of the deaf, dumb, and blind in the State; but from what information I have been able to gather, there must be quite a large number of children and young persons who are thus afflicted. All such should be at once placed under the kind care and educational influence of this institution, and some means should be devised to accomplish this result.

There are a few mute children reported in the poor-houses of the State, and these certainly should be in this institution if they are of sound mind.

If the theory of compulsory education is correct when applied to those who are blessed with perfect faculties, it must be doubly so when applied to those who can not be educated either at home or in the common school, and who, from the very nature of their infirmities, must become burdens to their friends and to the community, unless educated and trained to earn their living.

There should be in the institution at Flint some additions made to its library, and some adornment of its bare walls, by engravings, mottoes, etc. Some rational in-door amusements should also be provided for its inmates. It must be remembered that it is the home for the most impressible period in life of the 160 boys and girls who are being educated

within its walls. The Board of Trustees ask a small appropriation for this purpose and for ornamenting the grounds. There has been in the past a sad neglect in this direction, and now that they wish to begin the work, I respectfully recommend your favorable action thereon.

#### TAXATION.

There is perhaps no word in the language that so grates upon the American ear as the word "tax." Yet, so far as the State is concerned, had we no children to educate, no dependent poor, no insane or deaf or blind to care for, we should not be compelled to levy any tax for the expenses of the State government. The receipts from the sale of lands, from specific taxes on railroads, insurance companies, etc., more than defray the governmental expenses of the State. When the tax-collector taps at our door, it is well to remember that what he demands from us is for the education of our youth and the care of our unfortunate brethren. It is not a tax, but a donation for "sweet charity's sake." Who of us would have this different if he could? Who of us to-day is any poorer than he would have been, had we never built a school, college, or asylum? And the work must go on. As we grow in wealth, we increase in poverty; as we grow in strength, we increase in weakness. Remembering this, let us do our duty as it comes, and bear the burden of our needs like men.

Our laws regarding taxation seem to be as complete and perfect as they can well be made; and if any serious defects exist, the fault lies in the manner of executing them. They provide for an honest fair statement from each individual of his property, and an equal distribution of the taxes upon it.

It is, however, evident to all, that many individuals, towns, cities, and whole counties, are not assessed at near their real value. The remedy for this is with the people. They must elect officers to execute their laws, who will perform their duties fearlessly and honestly.

The taxes we receive from the extraneous sources before-

mentioned amounted for the year ending September 30th, 1872, to \$358,171 92, and there was still, at that date, about \$90,000 uncollected. This large amount was realized with but a trifling expense in its assessment or collection.

The labor in procuring reports, statistics, etc., upon the basis of which these taxes are assessed, is performed in the office of the Auditor General, and is a work requiring great care. The duties of the Auditor General are so multifarious and onerous that he cannot give to this subject the time and attention its importance demands.

I recommend that he be authorized to employ a suitable person, at a salary not exceeding \$2,000 per annum, for this service. The receipts from these sources could be largely increased, with the aid of such an officer. The law regarding the collection of specific taxes is deficient in this: that it provides no penalty for non-payment. This defect should be remedied, and some stringent method of collecting the tax be provided.

The law providing for the payment of a specific tax to the State, in lieu of all other taxes, so far as it applies to street-railway companies, it seems to me is unjust to the cities and towns in which such roads are located. They are practically private corporations; their earnings come almost exclusively from the inhabitants of the cities in which their roads are operated; and they should bear their burden of municipal taxation. Under the existing system, these corporations pay very unequally. One company, owning  $7\frac{1}{4}$  miles of road, pays \$215 annually; another, owning  $5\frac{1}{2}$  miles, pays \$650 annually, and still another pays no tax whatever. The whole amount collected by the State from this source, for the year ending September 30th, 1872, was only \$1,466 43.

I respectfully suggest, that the law be so amended that street-railway companies shall hereafter pay no specific tax to the State, and that in lieu thereof, they be made subject to

taxation as other corporations are, by the municipalities in which they exist.

Owing to the peculiar construction put upon the law regarding the sale of what are known as "part-paid" lands for delinquent taxes, the counties in which these lands are located lose a large sum of money annually. Purchasers let the taxes accumulate for a series of years, and then, by neglecting to pay their interest, forfeit the lands to the State. They are again placed upon the books of the Land Office, and the original purchaser procures some friend to enter them, paying one-quarter down, and the State thus loses all the accumulated taxes. I am informed by the Commissioner of the Land Office that instances of this kind are occurring constantly. These lands have not been sold for taxes, as the title remains in the State until they are fully paid for; and it is questionable whether the State can sell its own lands for delinquent taxes.

The whole amount of uncollected taxes, upon "part-paid" lands, is about \$38,000, spread upon 191,000 acres. Some method should be devised for preventing this loss to the Treasury. The Commissioner of the Land Office might be directed to refuse to receive the interest due, unless the purchaser shall show, by competent testimony, that the taxes have been paid; or, what perhaps would be better still, the amount required to be paid down might be increased to one-half, instead of one-quarter, as it now is. I am of the opinion that the State would dispose of its lands as rapidly under a payment of one-half down as of one-quarter. If the latter plan should be adopted, it would also tend to stop the practice, now so common, of entering these lands, cutting off the timber, and then letting them revert to the State. It would be well to provide that purchasers of forfeited lands should be required to pay, in addition to the fixed price put upon the land, all taxes and assessments due thereon. This subject demands your careful attention.

The Legislature, in providing for the erection of the new

State Capitol by taxation instead of by loan, set an example that I trust will be followed for all time to come. In the management of many of our municipalities throughout the State, the pernicious policy of running in debt, issuing bonds, certificates of indebtedness, etc., seems to have become the rule of action. While, under our form of government, it may not be the duty of the Legislature to refuse to grant the power to borrow money to a municipality, when the people ask the privilege so to do; still, I believe the Legislature should be extremely cautious in granting these requests, and should always be thoroughly satisfied that it is prudent, and that a clear majority of the tax-payers desire it.

It is so easy to issue a bond, placing upon posterity the obligations that belong to us, that our people avail themselves of it too thoughtlessly. We cannot anticipate the time when there will be no taxes to pay. Posterity will have burdens incident to its time to bear, the same as we have. The bonded debt of the cities and towns of the State must be very large, and I judge is increasing yearly. I wish we could turn over a new leaf in this direction, and adopt, so far as is practicable, the old-fashioned "pay-as-you-go" doctrine.

#### FISH CULTURE.

The subject of fish culture is attracting much attention, throughout the country, many of the States having, by legislative aid, assisted in promoting it. It is a question worthy of your consideration whether, with our vast water frontage on the great lakes, and our numerous inland lakes, it would not be wise for the State in some manner to encourage it. The catch of fish in the great lakes and straits of the State is decreasing yearly.

#### MILITARY DEPARTMENT.

If it can be done without undue extravagance, under a carefully prepared and carefully executed system, it might be wise for the State to lend its aid to the support and encour-

agement of our State troops. There are at present twelve companies, uniformed and maintained mainly at their own expense. I am of the opinion that the State should in some way bear a portion of the expenses incurred by the companies already organized, and by such others as may hereafter organize, and assist them in maintaining an efficient military organization. They are composed of our best citizens, and will bring no disgrace upon the uniform they wear. The association of young men together, under the auspices of the State, for a State purpose, cannot fail to be a constant reminder to them of their duty as citizens. The number of companies to be formed, and all expenditures allowed, should be carefully and specifically provided for, to the end that it may not become too expensive and cumbersome.

#### SALARIES.

The constitutional amendment for increasing the salaries of the Circuit Judges, which was submitted at the late election, was defeated by a small majority. The negligence of the people in properly rewarding their public servants is much to be regretted. We shall learn, when it is too late, "that the sure tendency of such neglect will be to leave the State with servants not worthy of reward." The public service will swiftly and surely deteriorate, if we continue our present penurious policy. The frequent changes in our courts, by the resignation of the Judges, cause great damage and expense to the counties, and give instability to judicial decisions; increase litigation, and decrease the common regard for the authority of law. I am persuaded that the defeat of the amendment for increasing salaries at the recent election arose more from the neglect and thoughtlessness of the people, than from any other reason. With our rapidly increasing resources, the general prosperity, and our ample ability to suitably reward our public officers, it cannot be possible that our people have not the disposition and desire so to do.

I earnestly recommend that the question be again submitted

at the next general election, and I do so in the full faith that an inherent sense of justice and right, of self-interest and self-protection, will secure its approval by the people.

**SENATORS AND REPRESENTATIVES :**

The excellent condition of our State finances, the reputation of the State for fidelity to its engagements, the slight burden of our State taxation, all reflect great credit upon the financial management of the officers of the State, and prove the wisdom of past legislation.

The secret of this success has simply been economy in appropriations and expenditures; and I trust it will be *our* rule of action in the responsible positions we have been called upon to fill. There is, however, a false as well as a true economy. If we know the true, let us choose it and shun the false. There is no economy in incapacity anywhere. It is a true economy to keep the educational, charitable, and other State institutions upon the high plane of excellence they now occupy. They have brought to us a population of active, enterprising, intelligent people; they have given us character and reputation abroad, and a consciousness of duty done that we may well be proud of. I assure you of my hearty co-operation in all measures that will tend to the advancement and prosperity of the State we serve.

JOHN J. BAGLEY.

After which,

On motion of Senator Emerson,

The joint convention adjourned *sine die*.

JAMES H. STONE,

*Secretary of the Senate,*

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives,*

*And Secretaries of the Joint Convention.*

The Senators having retired, the House was called to order by the Speaker.

Roll called : quorum present.

The Speaker announced that the House had met the Senate in joint convention, and listened to the messages of the retiring and acting Governors.

Mr. Bonine announced that Mr. James K. Lockwood of Alpena, etc., was present, and desired to take his seat.

Mr. Lockwood came forward and took and subscribed the constitutional oath, and took his seat.

#### UNFINISHED BUSINESS.

Being the consideration of the following :

*Resolved* (the Senate concurring), That Benjamin F. Stamm of Wayne be and is hereby appointed postmaster of the Senate and House, to distribute all mail matter belonging to members of the Senate and House, at a compensation of three dollars per day ;

For which the following substitute was pending :

*Resolved* (the Senate concurring), That Don. C. Henderson of Allegan county be and he is hereby appointed postmaster.

Mr. Bartholemew moved to amend by striking out the name "Don C. Henderson," and inserting the name, "Benjamin B. Baker" in lieu thereof.

On the adoption of the amendment Mr. Greusel demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows :

#### YEAS.

Mr. Armstrong,	Mr. Grant,	Mr. Robertson,
Bartholomew,	Haire,	Thompson,
Bonine,	Hertzler,	Van Aken,
Bottomley,	Howard,	Van Scoy,
Briggs,	Hoyt,	A. Walker,
Brunson,	Knapp,	F. Walker,
Chamberlain,	Lamb,	L. Walker,
Cobb,	Lewis,	Walton,



Mr. Cook, Curtis, Drew, Fancher, Goodrich,	Mr. Lockwood, Luce, O'Dell, Parsons, Perry,	Mr. Warren, Welch, West, Withington, Zimmerman. 39
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## NAYS.

Mr. Ackley, Blackman, Buell, Burns, Carter, Climie, Collins, Dinturff, Drake, Edwards, Fey, Garfield, Garvelink, Gilmore, Gordon, Green, Greusel,	Mr. Hewitt, Hoar, Kellogg, Kipp, Markey, E. R. Miller, R. C. Miller, Mitchell, Morse, Noyes, Pierce, Priest, Remer, Rich, Ripley, Robinson, Sanderson,	Mr. Scott, Sessions, Shaw, Simpson, Smith, Speed, Striker, Thomas, B. Walker, J. Walker, C. W. Watkins, E. C. Watkins, Welker, Wheeler, Wixson, Speaker. 50
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The question recurring on the adoption of the substitute,  
Mr. E. R. Miller moved to lay the resolution and substitute  
on the table;

Which motion prevailed.

Mr. Warren offered the following:

*Resolved by the House of Representatives* (the Senate concurring), That the State printer be directed to transmit to the resident clergymen of the city of Lansing, one copy each of the daily journal of the Senate and House during the present session.

Laid over for one day under the rules.

Mr. Chamberlain offered the following:

*Resolved*, That the message of His Excellency, Governor Bagley and the message of Ex-Governor Baldwin be referred to a select committee of five, who shall designate and recommend a reference to the proper standing committees of the subject matter embraced therein;

Which was adopted.

Mr. E. C. Watkins offered the following :

*Resolved*, That Rule No. 41 of the Rules of this House be so amended as to provide for a standing committee on railroads.

On motion of Mr. Grant the resolution was referred to a select committee of three.

The Speaker announced as such committee Messrs. Grant, E. C. Watkins, and Howard.

Mr. Bonine offered the following:

*Resolved*, That the Board of State Auditors be instructed to procure new covers for the desks of this House, or furnish napkins for the members, in order that they may be protected against grease, which has been looking some of us in the face for the last eight or ten years ;

Which was withdrawn.

The Speaker announced the following appointments:

W. L. Burnham, fireman ; Dewey B. Thompson, assistant fireman ; and Crombie S. Chesebro of Kent county, Volney Moreau of Shiawassee county, Van W. Coryell of Ingham county, Martin S. Frinle of Washtenaw county, David G. S. Barry of Monroe county, Nicholas Maniates of Jackson county as messenger boys.

Mr. Goodrich moved to adjourn ;

Which motion did not prevail.

Mr. Lamb offered the following:

*Resolved*, That each Representative be allowed the sum of five dollars for stationery during this session ; and also, that the committee on supplies be and is hereby required to furnish the Speaker of the House, Clerk, Enrolling and Engrossing Clerks, and the chairmen of all committees, such stationery as shall be reasonable and necessary for their use ;

Which was adopted.

Mr. Grant offered the following :

*Resolved* (the Senate concurring), That Mr. James W. King be and he is hereby appointed to compile and publish, without delay, under the supervision of the Committees on Printing in the two Houses, when the same are appointed, a manual, for

the use of members and officers of both Houses in this and the next Legislature, and the State officers. Said manual to contain the Constitution of the United States and of this State, with all amendments thereto; the rules and joint rules of the Senate and House of Representatives of this State; a diagram of the Senate Chamber and Representative Hall; names, ages, occupation, and residence of members of both Houses; a map showing the Senatorial and Congressional districts, the judicial circuits of the State, the various Senatorial and Representative districts, with the population thereof; the votes for President in 1872 and 1868; the post-offices, newspapers, banking institutions, railroad routes, a history of the Constitutional Conventions, and the latest statistics of the educational, charitable, reformatory, and penal institutions, and such other statistical matter as is usually contained in the work; the same to be printed and bound, in the usual style, by the State printer, and the compiler of said manual to receive for his services a sum not exceeding two hundred (\$200) dollars.

Laid on the table one day under the rules.

Mr. Bonine moved that the House adjourn until Monday at 7 P. M.

Mr. Remer moved to amend by making the hour 2 P. M. of Monday;

Which was accepted.

The motion to adjourn then prevailed.

*Lansing, Monday, January 6, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Wood.

Roll called: quorum present.

Absent without leave: Messrs. Bottomley, Bretung, Briggs, Chamberlain, Climie, Cobb, Collins, Curtis, Drake, Eggleston, Garvelink, Gooderich, Gordon, Haire, Hertzler, Hoar, Howland, Lewis, Luce, Mitchell, Noyes, O'Dell, Parsons, Pierce, Remer, Robinson, Robertson, Rose, Sanderson, Smith, Thompson, Thomas, Van Aken, J. Walker, Walton, C. W. Watkins, E. C. Watkins, Welch, West, Zimmerman.

Mr. Bonine asked and obtained leave of absence for Mr. Chamberlain on account of sickness.

Mr. Bonine asked and obtained leave of absence for Mr. Bottomley on account of sickness.

Mr. E. R. Miller asked and obtained leave of absence for Mr. Cobb for the day.

Mr. Morse asked and obtained leave of absence for Mr. Curtis for the day.

Mr. Hewitt asked and obtained leave of absence for Mr. Drake for the day.

Mr. Blackman asked and obtained leave of absence for Mr. Garvelink for the day.

Mr. Withington asked and obtained leave of absence for Mr. Goodrich for the day.

Mr. Greusel asked and obtained leave of absence for Mr. Gordon for the day.

Mr. Buell asked and obtained leave of absence for Mr. Hoar for the day.

Mr. Lamb asked and obtained leave of absence for Mr. Howard for the day.

Mr. Hewitt asked and obtained leave of absence for Mr. Luce for the day.

Mr. Grant asked and obtained leave of absence for Mr. Noyes for the day.

Mr. Greusel asked and obtained leave of absence for Mr. Pierce for the day.

Mr. Hoyt asked and obtained leave of absence for Mr. Remer until Friday.

Mr. Blackman asked and obtained leave of absence for Mr. Thomas and Mr. Watkins for the day.

Mr. Welker asked and obtained leave of absence for Mr. Van Aken for the day.

Mr. E. R. Miller asked and obtained leave of absence for Mr. J. Walker for the day.

Mr. Grant asked and obtained leave of absence for Mr. Walton indefinitely.

Mr. Bartholomew asked and obtained leave of absence for Mr. Haire and Mr. Thompson for the day.

Mr. Striker asked and obtained leave of absence for Mr. Collins for the day.

Mr. Knapp asked and obtained leave of absence for Mr. Zimmerman for the day.

Mr. Wheeler asked and obtained leave of absence for Messrs. Briggs, Watkins and Eggleston for the day.

Mr. Buell announced that Hon. William Harris of Keweenaw, etc., was present and desired to take his seat.

Mr. Greusel announced that Hon. James Caplis of the First District of Wayne and Hon. James E. Haywood of Huron were present and desired to take their seats.

Mr. Bartholomew announced that Hon. Orcott V. Hosner of Leelanaw, etc., was present and desired to take his seat.

The above named gentlemen then came forward and took and subscribed the Constitutional oath of office and took their seats.

Mr. Scott, by unanimous consent, offered the following :

*Resolved*, That each officer of this House be included in the resolution authorizing the Clerk to furnish each member with a copy of the manual of the last regular session of the Legislature ;

Which was adopted.

## COMMUNICATIONS FROM STATE OFFICERS.

*Lansing, January 3, 1873.**Hon. Daniel L. Crossman, Clerk of the House of Representatives, Lansing:*

DR. SIR:—Your favor of yesterday, relative to obtaining a sufficient number of copies of the Compiled Laws of 1871 to furnish each member of the House, with a copy, in accordance with a resolution of the House of the 1st inst., to you directed, is at hand. In reply, allow me to say, that in view of statutory provisions concerning their distribution, and in consideration of the future needs of the State, arising from the organization of new counties and townships, and of the precedents in the case, I do not feel authorized to distribute them on a simple resolution of the House.

Very respectfully,

DANIEL STRIKER,

*Secretary of State.*By G. M. HASTY, *Deputy.*

The communication was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, January 2, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved* (the House concurring), That Benjamin B. Baker of Ingham county be and is hereby appointed postmaster, and that his compensation shall not exceed three dollars per day;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. E. R. Miller,

The House concurred in the adoption of the resolution.

## NOTICES.

Mr. Hoyt gave notice that on some future day he would ask leave to introduce

A bill to repeal section 124 of act number 169 of the session laws of 1869, being an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, 1869, and being section 1090 of chapter 21 of the compiled laws of 1871.

Mr. Greusel gave notice that on some future day he would ask leave to introduce

A bill to provide for the deposit and safe keeping of the public moneys belonging to the several counties of the State, and prescribing the duties of the Treasurer and Board of Supervisors, and Auditors in relation thereto.

Mr. F. Walker gave notice that on some future day he would ask leave to introduce

A bill to compel railroads, at their crossings, to connect on equitable terms.

Mr. Bartholomew gave notice that on some future day he would ask leave to introduce

A bill to amend section 13 of chapter 268 of the compiled laws of 1871.

## MOTIONS AND RESOLUTIONS.

Mr. Drew offered the following :

*Resolved*, That the Sergeant-at-Arms be instructed to remove the cobwebs and dust from the American Eagle over the Speaker's chair ;

Which was adopted.

Mr. E. B. Miller offered the following :

*Resolved*, That no smoking be permitted in this hall during the present session :

Which was adopted.

Mr. Bartholomew offered the following :

*Resolved*, That rule No. 41 of the rules of this House be amended so as to provide for a standing committee on public health.

On motion of Mr. Bartholomew,

The resolution was referred to the select committee appointed on Thursday to amend rule 41 of the House.

Mr. Bonine moved that the special committee on the amendment of the rule 41 of the House be instructed to amend the same so as to provide for a committee on the State Public School ;

Which motion prevailed.

Mr. Morse offered the following:

*Resolved*, That rule number 41 of the rules of this House be amended so as to provide for a standing committee on amendments to the Constitution.

On motion of Mr. Morse,

The resolution was referred to the select committee on amendments of rule 41 of the House.

Mr. Speed moved that the communication of the Secretary of State be taken from the table and referred to the committee on the judiciary ;

Which motion prevailed.

Mr. Rich offered the following:

*Resolved* (the Senate concurring), That the State Librarian be instructed to purchase for the use of the Senate and House of Representatives, six copies of Cushing's Parliamentary Law and thirty-five copies of Cushing's Manual ;

Laid over under the rules.

#### UNFINISHED BUSINESS.

Being the consideration of the following:

*Resolved* (the House concurring), That Mr. James W. King be and he is hereby appointed to compile and publish, without delay, under the supervision of the committees on printing in the two Houses, when the same are appointed, a manual for the use of members and officers of both Houses in this and the next Legislature, and the State officers. Said manual to contain the Constitutions of the United States and of this State, with all amendments thereto ; the rules and joint rules of the Senate and House of Representatives of this State ; a diagram



of the Senate Chamber and Representative Hall; names, ages, occupation, and residence of members of both Houses; a map showing the Senatorial and Congressional districts, the judicial circuits of the State, the various Senatorial and Representative districts of the State, with the population thereof; the votes for President in 1872 and 1868; the post-offices, newspapers, banking institutions, railroad routes; a history of the Constitutional conventions; and the latest statistics of the educational, charitable, reformatory, and penal institutions, and such other statistical matter as is usually contained in the work. The same to be printed and bound in the usual style by the State printer; and the compiler of said manual to receive for his services a sum not exceeding two hundred (\$200) dollars.

Mr. Shaw moved to amend the resolution by inserting the following, after the words "Reformatory and Penal Institutions:" "The table on Equalization of State Board for 1871;

Which motion prevailed.

Mr. E. R. Miller moved to amend the resolution by taking out the words, "not exceeding two hundred dollars," and inserting in lieu thereof the words, "which shall be fair and adequate, to be determined by said Committee;"

Which motion prevailed.

Mr. Speed moved to amend the resolution by adding thereto the following: "But no compensation shall be paid unless the manual shall be ready for the printer within fifteen days from the passage of this resolution;"

Which motion prevailed.

The resolution, as amended, was then adopted.

Also the following:

*Resolved by the House of Representatives* (the Senate concurring), That the State printer be directed to transmit to the resident clergymen of the city of Lansing, one copy each of the daily journal of the Senate and House during the present session ;

Which was adopted.

The Speaker announced the following appointments:

*Keeper of the Cloak-room*—Wm. Tomlinson of Wayne.

*Speaker's Messenger*—Charles H. Wells of Lenawee.

The Speaker also announced the following :

*To the Speaker of the House of Representatives :*

SIR—Pursuant to a resolution of the House, I have appointed O. Frank Converse of Ingham county, messenger.

D. L. CROSSMAN,  
*Clerk of the House.*

The Speaker also announced the following:

*To the Speaker of the House of Representatives :*

SIR—Pursuant to a resolution of the House, I have appointed Henry A. Norton of Oakland county, Assistant Sergeant-at-Arms.

E. W. FITCH,  
*Sergeant-at-Arms.*

The Speaker also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 2, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I have this day appointed Lewis M. Miller of Macomb Assistant Engrossing and Enrolling Clerk, pursuant to a resolution of the House.

WM. H. MARSTON,  
*Engrossing and Enrolling Clerk.*

Messrs. Lewis M. Miller and Henry A. Norton then came forward, took and subscribed the Constitutional oath of office, and entered on their respective duties.

The Speaker also announced the following message from His Excellency, Ex-Governor Baldwin, being a list of the pardons granted by him during the years 1871-2, with the reasons for each :

STATE OF MICHIGAN, }  
EXECUTIVE OFFICE, }  
LANSING, January 1, 1872. }

*To the Senate and House of Representatives:*

The following list, with the reasons therefor, embraces all the pardons issued by me for and during the years 1871 and 1872:

1. Timothy B. Cook. Convicted of manslaughter February 11, 1870, in Van Buren Circuit Court, and sentenced to State Prison for two and one-half years.

Pardoned January 18, 1871, on account of fatal illness. Cook died March 20th, following.

2. Albert F. Shannon. Convicted of manslaughter (abortion) December, 1869, and sentenced from Lenawee Circuit for seven years.

Pardoned January 18, 1871, on petition of Norman Geddes, J. R. Bennett, and many other prominent citizens of Lenawee county, showing the convict to be very aged and of infirm health.

3. Thomas Blais. Convicted of larceny December 14, 1870, in police court, Detroit, and sentenced to House of Correction for ninety days.

Pardoned January 29, 1871, on account of former good character, and upon the earnest solicitation of the Prosecuting Attorney and the Police Justice.

4. Donald Harbaugh. Convicted of burglary and assault with intent to kill, December 29, 1854, in Wayne Circuit. Sentenced for burglary 10 years, and for the other offense the remainder of his life.

Pardoned January 29, 1871, on the petition of E. B. Ward, whose warehouse was broken into, of many other citizens, and of many former officers of the prison, showing good conduct and sufficiency of punishment.

5. Theodore S. Conner. Convicted February 14, 1868, of stealing a horse and buggy, and sentenced for five years by Circuit Court of Ingham County.

Pardoned February 8, 1871, on account of fatal sickness. He died three days subsequently.

6. Hiram N. Averill. Convicted in Allegan Circuit, October, 1868, on plea of guilty of forgery of a deed, and sentenced for three years.

Pardoned March 14th, 1871, on petition of Judge Littlejohn, who sentenced him, of Hon. W. B. Williams and others, on account of good behavior, poor health, and because his sentence would expire in three weeks.

7. John Pitcher. Convicted in Lenawee Circuit, March 18, 1867, of receiving stolen property, and sentenced for five years.

Pardoned March 25, 1871, on petition of C. A. Stacy, R. R. Beecher, J. P. Cawley, and many other prominent citizens of Lenawee County, on account of uniform good conduct in prison, restitution of the stolen property, for the protection of his child, and because his term would expire in May following.

8. William Mills. Convicted of malicious trespass, October 26, 1870, in Recorder's Court, Detroit, and March 11, 1871 sentenced to House of Correction for one year.

Pardoned April 1, 1871, on petition of J. J. Bagley, P. J. D. Van Dyke, Prosecuting Attorney, and others, conditioned that he should leave the city at once and not return within two years.

9. Charles Armstrong. Convicted in Barry Circuit, January, 1868, of arson, and sentenced for five years.

Pardoned April 21, 1871, on petition and recommendations of the Prosecuting Attorney, Judge Lovell, before whom he was tried, and other prominent citizens, on ground of former good character and doubts of guilt.

10. Charles J. Hatch. Convicted in Kent Circuit, September 6, 1869, of embezzlement, and sentenced for two years.

Pardoned April 25, 1871, on account of insanity, upon representations of the Agent and Physician of the Prison, and recommendation of Judge Lovell.

11. Henry W. Hill and Edward Rickerson. Convicted in Kalamazoo Circuit, September 14, 1868, of robbery, and sentenced, the former for eight and the latter for six years.

Pardoned May 9, 1871, upon petition of C. A. Thompson Prosecuting Attorney, Hon. J. C. Burrows, J. W. Hopkins and others, showing innocence of the accused.

12. Archibald Fletcher. Convicted in Recorder's Court, Detroit, July 1868, of the larceny of a boat, and sentenced for four years.

Pardoned on recommendation of Judge Swift, Oliver Bourke, and other good citizens, May 9, 1871.

13. John Lager. Convicted in Recorder's Court, Detroit, November 10, 1868, of breaking into a house in the night time, with intent to commit larceny, and sentenced for four years.

Pardoned May 9, 1871, on petition of Capt. W. A. Owen and other citizens, and on letter of Judge Swift, stating that had all the circumstances of the case appeared on the trial the sentence would probably have been lighter.

14. John H. Ellis. Convicted in Eaton Circuit in 1870 on plea of guilty of larceny, and sentence suspended until April term of Court, 1871.

Pardoned May 13, 1871, on petition of the Prosecuting Attorney, all the members of the Bar of Eaton county, county officers and others, on account of former good character and proof of insanity.

15. Emmet N. Payne. Convicted in Ionia Circuit February, 1870, of obtaining goods under false pretenses, and sentenced for two years.

Pardoned July 5, 1871, on recommendation of Judge Lovell, the Prosecuting Attorney, Sheriff, and the affidavits of Wm. Bennett, Rev. L. U. Earl, and others, tending to show that Payne was not guilty.

16. John Smith. Convicted October, 1866, in Lenawee

Circuit, of attempt to commit murder by poison, and sentenced for life.

Pardoned July 13, 1871, on account of being in the last stage of consumption.

17. Tensey Inglis. Convicted in Calhoun Circuit September 12, 1867, of burglary, and sentenced to Detroit House of Correction for four years.

Pardoned July 21, 1871, on recommendation of Z. R. Brockway, Superintendent of the House of Correction, conditioned that she should be at once removed from the State by her relatives.

18. William J. McCollum. Convicted in Lenawee Circuit June, 1868, of forgery of a note, and sentenced for seven years.

Pardoned August 15, 1871, on recommendations of Hons. E. L. Koon, F. C. Beaman, Austin Blair, the Prosecuting Attorney, and others, on account of former good conduct and for meritorious service while in prison.

19. Patrick Fitzgerald. Convicted October 28, 1868, in Recorder's Court, Detroit, of manslaughter, and sentenced for five years.

Pardoned August 15, 1871, on petition of Judge Swift, G. V. N. Lothrop, Wm. A. Moore, Theo. Romeyn, Jno. J. Bagley, W. C. Duncan, K. C. Barker and many others, because of his former good character and industrious habits, and because the crime was committed under the sudden sting of a wanton provocation.

20. Thomas Nestor. Convicted in Justice Court, Wayne County, July 3, 1871, of assault and battery and sentenced to Detroit House of Correction for ninety days in default of payment of \$25 fine.

Pardoned September 16, 1871, on petition of Hon. R. V. Briggs, who sentenced him, the fine having been paid, and on account of the dependency upon him of his family.

21. E. Luther Gay. Convicted in Kent Circuit, December 11, 1869, of grand larceny, and sentenced for three years.

Pardoned September 18, 1871, on recommendation of Rev. J. Morgan Smith, Hon. W. D. Foster, B. A. Harlan, Hon. B. D. Ball, and Judge Withey, on account of sufficiency of punishment and doubts of guilt.

22. Leander Worden. Convicted in Clinton Circuit, July 12, 1870, on a plea of guilty of forgery, and sentenced for two and one-half years.

Pardoned November 14, 1871, on recommendations of John M. Osborn, Hon. Henry Waldron, J. K. Boies, and other citizens of Hillsdale County, showing that Worden was young, had been a soldier and formerly bore a good character.

23. Robert White. Convicted in May 1871, in Recorder's Court, Detroit, of compound larceny, and sentenced to House of Correction for one year.

Pardoned Nov. 17, 1871, on petition of Hugh Wright, the boy's father, and on account of former good character and sufficiency of punishment.

24. Henry Foster. Convicted in St. Joseph Circuit March, 1869, on a plea of guilty of assault with intent to kill, and sentenced for five years.

Pardoned Nov. 20, 1871, on petition and recommendations of the Common Council of Three Rivers, of Prosecuting Attorney Hon. A. C. Prutzman, T. C. Carpenter, and others, on account of sufficiency of punishment, and conditioned that he abstain entirely from the use of intoxicating liquors, the offense having been committed by him when intoxicated.

25. Charles H. Black. Convicted Oct. 4, 1871, in Recorder's Court, Detroit, of larceny, and sentenced to House of Correction for four months.

Pardoned Dec. 12, 1871, on petition of prisoner's father, and recommendation of Judge Swift.

26. George Coons. Convicted of burglary, Aug. 16, 1870, in Genesee Circuit, and sentenced for two years.

Pardoned Dec. 19, 1871, on petition of the Chaplain of the Prison, and S. Howard, ex-Prosecuting Attorney, showing reformation, former good character, and dependency of family.

27. Eliza Boget. Convicted in St. Joseph Circuit, March, 1871, of larceny, and sentenced to House of Correction for one year.

Pardoned January 9, 1872, on petition of H. H. Bourn and 40 other citizens, tending to show that prisoner was not guilty and that she plead guilty through fear of her husband.

28. Brock McGregor. Convicted in Recorder's Court, Detroit, November 14, 1871, of larceny, and sentenced to House of Correction for one year.

Pardoned January 12, 1872, on account of being in the last stages of consumption, as shown by certificate of Superintendent Brockway and Dr. J. A. Brown.

29. John Kirby. Convicted of bigamy, April, 1871, in Monroe Circuit, and sentenced for one year.

Pardoned January 30, 1872, on account of being very low with consumption, and because his time would expire in twenty-three days. Kirby died thirteen days subsequent to his pardon.

30. Terrence Bresnahan. Convicted of robbery, April 12, 1870, in Recorder's Court, Detroit, and sentenced for five years.

Pardoned February 3, 1872, on petition of the Prosecuting Attorney, thirty-five others, the urgent recommendation of Judge Swift, and on account of dependency of his relatives and good conduct in Prison.

31. Sophia Papa. Convicted in Recorder's Court, Detroit, April 19, 1871, of arson, and sentenced to House of Correction for five years.

Pardoned March 5, 1872, on account of fatal illness. She died March 6, the next day, and before leaving the prison.

32. Chester Cushman. Convicted in Kalamazoo Circuit April 8, 1871, of seduction, and sentenced for five years.

Pardoned March 30, 1872, on petition of A. D. Botsford and about 300 other citizens of Allegan county, and affidavits showing the former bad character of the girl.

33. Marcus D. Baird. Convicted February, 1870, in Lena-



wee Circuit, of procuring another to burn an unoccupied hotel, and sentenced for five years.

Pardoned May 1, 1872, on petition of Hon. F. C. Beaman, J. R. Bennett, Judge Pratt, C. M. Croswell, and many other citizens, on account of former good character, sufficiency of punishment, and dependency of his family.

34. Robert Smith. Convicted in Branch Circuit February, 1869, of aiding a prisoner to escape, and sentenced for five years.

Pardoned May 9, 1872, on recommendation of prison physician, showing that Smith was probably insane, and on condition that his relatives remove him to their home in Pennsylvania.

35. David Brown. Convicted in Ottawa Circuit October 29, 1870, of obtaining money by false pretenses, and sentenced for four years.

Pardoned May 25, 1872, on account of being hopelessly ill.

36. Gabriel Fox. Convicted in Police Court, Detroit, May 29, 1872, of assault and battery, and sentenced to Detroit House of Correction for sixty days, in default of payment of fine of ten dollars.

Pardoned June 13, 1872, on account of payment of fine.

37. Edward Simpson. Convicted in Calhoun Circuit March 9, 1871, of burglary, and sentenced to the House of Correction for three years.

Pardoned July 13, 1872, on petition of V. P. Collier, P. H. Emerson, J. C. Barber, T. B. Skinner, and many other citizens of Calhoun County, showing that prisoner was not the party principally guilty in the commission of the offense.

38. William Hadden. Convicted in Justice Court, Ionia County, March 6, 1872, on plea of guilty of drunkenness, and sentenced to House of Correction for six months.

Pardoned July 20, 1872, on petition of Judge Lovell, county officers, and many other citizens, showing dependency of prisoner's family, and expressing the belief that he would abstain from the use of intoxicating drink.

39. Henry Battler. Convicted in Branch Circuit, October 25, 1867, of rape, and sentenced for six years.

Pardoned July 29, 1872, on account of the dying condition of prisoner's wife at Brighton, Ohio, and because his time would expire in one month.

40. Simeon B. Rice. Convicted in Lenawee Circuit, of forgery, January 16, 1870, and sentenced for two years.

Pardoned August 16, 1872, on petition of Judge Pratt, C. R. Miller, Prosecuting Attorney, Hon. F. C. Beaman, and many others, Rice having paid the paper forged, before it became due, and having but 30 days more to serve.

41. Daniel Drummond. Convicted of larceny August, 1870, in Recorder's Court, Detroit, and sentenced for three years.

Pardoned September 9, 1872, on recommendation of Agent and Inspectors of State Prison, Drummond being at the point of death, and his time expiring February 9, 1873.

42. Samuel Reed. Convicted in the fall of 1866 of three larcenies, in Lenawee Circuit, and sentenced for fifteen years.

Pardoned September 11, 1872, on petition and recommendations of C. M. Croswell, Chas. Rynd, Channcey Cooper, Andrew Howell, Mrs. Haviland, and many other citizens, showing good conduct in prison, reformation and sufficiency of punishment.

43. Albert Mount. Convicted in Lenawee Circuit March 26, 1872, of lewd and lascivious conduct, and sentenced to House of Correction for one year.

Pardoned September 19, 1872, on request of Superintendent Brockway, and on account of fatal illness of the prisoner.

44. Richard Graham. Convicted in Hillsdale Circuit June 8, 1872, of larceny, and sentenced to House of Correction for two years.

Pardoned September 24, 1872, at request of Superintendent Brockway, the prisoner being fatally ill.

45. Martin V. B. Willison. Convicted in Barry Circuit November, 1871, and sentenced for one year and nine months.

Pardoned November 5, 1872, on petition and recommenda-

tions of Judge Hoyt, county officers, and 200 others, and the jury, showing doubts of guilt, and bad character of the complaining witness.

46. Edward Sullivan. Convicted in Justice Court, Wayne County, October 29, 1872, of assault and battery, and sentenced to House of Correction for 60 days.

Pardoned November 19, 1872, on account of his family, and upon recommendation of Superintendent Brockway.

47. Nathan Bell. Convicted in Berrien Circuit in December, 1869, of assault with intent to murder, and sentenced for ten years.

Pardoned December 14, 1872, on recommendation of Judge Blackman, Geo. S. Clapp, Prosecuting Attorney, county officers and others; Judge Blackman stating that the sentence by him was too severe.

48. Francis E. Smith. Convicted in Calhoun Circuit in July, 1872, of burglary, and sentenced to House of Correction for two years.

Pardoned December 14, 1872, on petition and recommendation of Judge Woodruff, P. H. Emerson, Dr. Adlington, and 40 others, and on account of the bad state of health of the prisoner, he being of weak intellect, and subject to fits.

In all cases where not otherwise stated, the persons pardoned during the years 1871 and 1872 had been sentenced to the State Prison.

#### HENRY P. BALDWIN.

Mr. E. R. Miller offered the following:

*Resolved*, That one thousand copies of the Governor's message be printed for the use of the House.

To which Mr. Shaw offered the following substitute:

*Resolved, by the House* (the Senate concurring), That five thousand copies each of the Governors' messages be printed for the use of the Legislature, in the English, two thousand each printed in the German, and two thousand in the French languages.

On motion of Mr. Speed,  
The resolution and substitute were laid on the table.  
On motion of Mr. Van Scoy,  
The House adjourned.

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*Lansing, Tuesday, January 7, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bryant.

Roll called: quorum present.

Absent without leave, Messrs. Lockwood and Thomas.

Mr. Bonine asked and obtained leave of absence for Mr. Lockwood for the day.

Mr. C. W. Watkins asked and obtained leave of absence for Mr. Thomas until Friday.

Mr. Hoar asked and obtained leave of absence for Mr. Breitung indefinitely, on account of sickness.

Mr. Priest announced that Hon. Horace H. Cady, of the 1st district of Macomb, was present and desired to take his seat.

Mr. Cady came forward, and took and subscribed the constitutional oath of office, and took his seat.

#### REPORTS OF SELECT COMMITTEES.

The special committee to whom were referred the following resolutions, viz:

1. *Resolved*, That rule No. 41 of the rules of this House be so amended as to provide for a standing committee on railroads;

2. *Resolved*, That rule No. 41 of the rules of this House be amended so as to provide for a standing committee on public health;

3. *Resolved*, That the special committee on the amendment

of rule 41 of the House be instructed to amend the same so as to provide for a committee on the State Public School ;

4. *Resolved*, That rule number 41 of the rules of this House be amended so as to provide for a standing committee on amendments to the Constitution ;

Respectfully report that they have had the same under consideration, and report the same back to the House with the recommendation that the resolutions amending rule 41, so as to provide for standing committees on railroads, public health, and the State Public School, do pass ; and that the resolution to amend the rule so as to provide for a standing committee on amendments to the Constitution, do not pass, and ask to be discharged from further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

The question being on so amending rule 41 as to provide for a committee on railroads, two-thirds of all the members elect voting therefor, the recommendation was adopted.

The question being on so amending rule 41 as to provide for a committee on the State Public School, two-thirds of all the members elect voting therefor, the recommendation was adopted.

The question being on so amending rule 41 as to provide for a committee on public health, two-thirds of all the members elect voting therefor, the recommendation was adopted.

The question being on so amending rule 41 as to provide for a committee on amendments to the Constitution, two-thirds of all the members elect not voting therefor, the amendment was not made.

#### NOTICES.

Mr. E. R. Miller gave notice that on some future day he would ask leave to introduce

A bill to amend chapter twenty-two (22) of the compiled laws, it being an act to provide for a tax upon dogs.

Mr. Buell gave notice that on some future day he would ask leave to introduce

A bill to require the Commissioner of Land Office, in all cases where State swamp lands have been withdrawn from market, or withheld from private entry or pre-emption, to give public notice of not less than thirty days, of the restoration of such lands to market, and authorizing and requiring the Commissioner, when there are competing applicants for the same tract of land present at the time of restoration, to offer the said tract for sale to the highest bidder.

Mr. Goodrich gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Albion, by adding new sections thereto.

Mr. C. W. Watkins gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Wayland.

Mr. C. W. Watkins gave notice that on some future day he would ask leave to introduce

A bill to amend section 2440 of chapter 75, compiled laws 1871, as amended by act No. 7, session laws 1872, so as to compel railway companies to build fences along the line of their roads within a specified time, being "An act to revise the laws for the incorporation of railroad companies," approved April 18, 1871.

Mr. F. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend section four of chapter 144 of the compiled laws, being an act for the better protection of homestead settlers.

Mr. Sessions gave notice that on some future day he would ask leave to introduce

A bill to equalize the property of fractional school districts situated in two or more counties.

Mr. Speed gave notice that on some future day he would ask leave to introduce

A bill supplementary to an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855 ;

Also,

A bill to amend sections numbered 1, 2, and 3 of chapter 163, of the compiled laws of 1871, relative to the sale of lands for the payment of debts by executors, administrators, and guardians ;

Also,

A bill to repeal section 26 of chapter 108 of the compiled laws of 1871 ;

Also,

A bill to authorize railroad companies to convey their franchises and property under certain circumstances ;

Also,

A bill to protect travelers from annoyance of runners and solicitors for hotels, boats, and cars.

Mr. Burns gave notice that on some future day he would ask leave to introduce

A bill to amend section 364 of chapter 10 of the compiled laws, in relation to the compensation of members of boards of supervisors.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to amend section 127 of chapter 178 of compiled laws, entitled " Courts held by Justices of the Peace ;"

Also,

A bill to amend sections 7, 18, 20, 22, 27, 32, 36, 40, 41, of chapter 21 of compiled laws, entitled " An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon, and to add new sections thereto ;"

Also,

A bill abolishing estates for life in dower and tenancy by

the courtesy, and creating, in lieu thereof, estates in fee simple, and further defining the rights, duties, and obligations of husband and wife.

Mr. Scott gave notice that on some future day he would ask leave to introduce

A bill for the repeal of the charter of the Plymouth Plank Road Company.

Mr. Welker gave notice that on some future day he would ask leave to introduce

A bill giving soldiers who have served in the army of the United States in the late war, and have received no State bounty, the sum of one hundred dollars each.

Mr. Rose gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax roll of the township of Ætna, in the County of Mecosta, for the year 1872.

Mr. Cobb gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Kalamazoo.

#### INTRODUCTION OF BILLS.

Mr. Greusel, previous notice having been given, and leave being granted, introduced

A bill to provide for the deposit and safe keeping of the public moneys belonging to the several counties of the State, and prescribing the duties of the treasurer and board of supervisors, and auditors in relation thereto.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Hoyt, previous notice having been given, and leave being granted, introduced

A bill to repeal section 124 of act number 169 of the session laws of 1869, being an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, 1869, and being section 1090 of chapter 21 of the compiled laws of 1871.



The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Bartholomew, previous notice having been given, and leave being granted, introduced

A bill to amend section 13 of chapter 268 of the compiled laws of 1871.

The bill was read a first and second time by its title and referred to the committee on Reform School.

#### MOTIONS AND RESOLUTIONS.

Mr. Bonine offered the following :

*Resolved* (the Senate concurring), That the State Board of Auditors be instructed to furnish gas for this building, and for the State Offices, and State Library.

Laid over under the rules.

Mr. Greusel offered the following :

*Resolved*, That three thousand copies of the Governors' messages, translated into the German language, one thousand into the Holland, one thousand into the Scandinavian, and one thousand copies into the French languages, be printed for the use of the House ;

Mr. Withington moved to refer the resolution to the committee on printing ;

Which motion prevailed.

Mr. Garvelink offered the following :

*Resolved by the House of Representatives* (the Senate concurring), That 1,500 copies of the Governors' messages, both of the retiring and present incumbent, be translated and printed in the Holland language; and that the same be awarded to the publishers of the *Grondwet*, of the city of Holland, to be distributed by them among the Holland people in the counties of Allegan, Ottawa, Kent, and Muskegon, at a cost to be fixed by this Legislature.

Laid over under the rules.

Mr. Warren moved to take from the table the following resolution :

*Resolved*, That one thousand copies of the Governor's message be printed for the use of the House ;

To which the following substitute was pending :

*Resolved by the House* (the Senate concurring), That five thousand copies each of the Governors' messages be printed for the use of the Legislature, in the English, two thousand each printed in the German, and two thousand in the French languages ;

Which motion prevailed.

On motion of Mr. Warren the resolution and substitute were referred to the committee on printing.

Mr. Garfield offered the following :

*Resolved* (the Senate concurring), That the resident clergymen of the city of Lansing, officiating in the Legislature, be furnished with a copy of the manual of 1871, and also of 1873 when published ;

Laid over under the rules.

Mr. Scott offered the following :

*Resolved*, That rule 41 be so amended as to authorize the Speaker to appoint a standing committee on horticulture ;

Which was adopted, two-thirds of the members elect voting therefor.

#### UNFINISHED BUSINESS.

Being the consideration of the following :

*Resolved* (the Senate concurring), That the State Librarian be instructed to purchase, for the use of the Senate and House of Representatives, six copies of Cushing's Parliamentary Law and thirty-five copies of Cushing's Manual.

Mr. Withington moved to amend the resolution by striking out the words, "for the use of the Senate and House of Representatives ;"

Which motion prevailed.

The resolution, as amended, was then adopted.

On motion of Mr. Bonine, the House took a recess until 3 P. M.

## AFTERNOON SESSION.

3 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

Mr. Speed, by unanimous consent, offered the following:

*Resolved*, That the Board of State Auditors be requested to transmit to this House a copy of the opinion of the Hon. Jacob M. Howard, Attorney General, relative to the payment of traveling expenses of circuit judges ;

Which was adopted.

Mr. Speed, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, by adding two new sections thereto.

Mr. Speed moved that the rules be suspended, and that he be allowed to introduce two bills, previous notice not having been given.

Two-thirds of the members elect not voting therefor, the motion did not prevail.

Mr. West offered the following:

*Resolved* (the Senate concurring), That the Secretary of State be authorized to furnish each member of the present Legislature with one copy of the compiled laws of 1871.

Laid over under the rules.

Mr. A. K. Warren offered the following:

*Resolved by the House of Representatives* (the Senate concurring), That the State printer be directed to transmit to the Hon. Nelson B. Jones, formerly Clerk of this House, one copy of the daily journal of the Senate and House during the present session.

Laid over under the rules.

Mr. E. R. Miller offered the following:

*Resolved* (the Senate concurring), That the Secretary of

State be requested to furnish copies of the "manual" to the reporters.

Laid over under the rules.

#### NOTICES.

Mr. Welch gave notice that on some future day he would ask leave to introduce

A bill amending section one (1) of chapter 171 of the compiled laws of 1871, relative to the general provision concerning husband and wife.

Mr. Fey gave notice that on some future day he would ask leave to introduce

A bill to define how many hours labor shall constitute a legal day's work.

Mr. Ackley gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Swan Creek to purchase of the Swan Creek and Saginaw Bridge Company its bridge across the Tittibawassee River, and to hold the same as a toll bridge.

Mr. Gilmore gave notice that on some future day he would ask leave to introduce

A bill to amend section 3366, being section twelve of chapter 128 of compiled laws of 1871, relative to the formation of companies for the introduction of water into towns, cities, and villages in the State of Michigan.

Mr. West gave notice that on some future day he would ask leave to introduce

A bill to amend section 17 of chapter 175 of the compiled laws, relative to juries in civil cases in the circuit court.

Also,

A bill to amend section 174 of chapter 178 of the compiled laws, relative to executions issued by justices of the peace.

Mr. Drew gave notice that on some future day he would ask leave to introduce

A bill to amend section 27, chapter 75, of the compiled laws.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill to amend section 2 of act No. 138, session laws of 1859, being section 7938 of the compiled laws of 1871.

Mr. F. Walker gave notice that on some future day he would ask leave to introduce

A bill to tax railroad lands as soon as title is obtained.

Mr. Striker gave notice that on some future day he would ask leave to introduce

A bill to authorize George H. Abrams to drain Wall Lake, in the township of Hope, Barry county, Michigan.

Mr. Collins gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Middleville, Barry county.

Mr. Speed moved that the rules requiring the introduction of bills to be on a day subsequent to the notice of the same be suspended so as to allow the introduction of all bills at the option of members ;

Which motion prevailed.

Under the above suspension of the rules,

Mr. Speed introduced a bill to amend sections numbered 1, 2, and 3, of chapter 163, of the compiled laws of 1871, relative to the sale of lands for the payment of debts, by executors, administrators and guardians.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Also,

A bill to amend an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, by adding two new sections thereto.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Chamberlain offered the following:

*Resolved*, That the Chief Clerk of this House be and is hereby authorized to appoint a second assistant clerk ;

*Which was adopted.*

On motion of Mr. Greusel,

The House adjourned.

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*Lansing, Wednesday, January 8, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Allis.

Roll called: quorum present.

Absent without leave, Messrs. Harris and Rose.

Mr. Hoar asked and obtained leave of absence for Mr. Harris until Friday.

Mr. Goodrich asked and obtained leave of absence for Mr. Rose for the day.

PRESENTATION OF PETITIONS.

By Mr. Curtis: Petition of R. S. Arnold and fourteen others, asking that a certain portion of the State road in Ottawa county, known as the old Allegan State road, be discontinued.

Referred to committee on roads and bridges.

By Mr. Brunson: Petition of R. J. Woodruff and twenty-seven others, to amend the liquor law ;

Also, petition of A. H. Herron and fifteen others, for the same purpose.

Referred to committee on judiciary.

By Mr. Scott: Memorial of David Maiden of Livonia, Wayne county, Mich., asking relief for certain losses sustained in obtaining title to University lands.

Referred to committee on judiciary.

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
*Lansing, January 7, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

*Resolved* (the Senate concurring), That Mr. James W. King be and he is hereby appointed to compile and publish, without delay, under the supervision of the Committees on Printing in the two Houses, when the same are appointed, a manual, for the use of members and officers of both Houses in this and the next Legislature, and the State officers. Said manual to contain the Constitutions of the United States and of this State, with all amendments thereto ; the rules and joint rules of the Senate and House of Representatives of this State ; a diagram of the Senate Chamber and Representative Hall ; names, ages, occupation, and residence of members of both Houses ; a map showing the Senatorial and Congressional districts, the judicial circuits of the State, the various Senatorial and Representative districts of the State, with the population thereof ; the votes for President in 1872 and 1868 ; the post-offices, newspapers, banking institutions, railroad routes, a history of the Constitutional Conventions, and the latest statistics of the educational, charitable, reformatory, and penal institutions, the table of equalization for 1871, and such other statistical matter as is usually contained in the work ; the same to be printed and bound, in the usual style, by the State printer, and the compiler of said manual to receive for his services such sum as shall be fair and adequate. But no compensation shall be paid unless the manual shall be ready for the printer within fifteen days from the passage of this resolution ;

In the passage of which the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The resolution was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, January 7, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following concurrent resolution:

*Resolved by the House of Representatives* (the Senate concurring), That the State printer be directed to transmit to the resident clergymen of the city of Lansing, one copy each of the daily journal of the Senate and House during the present session;

In the passage of which the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The resolution was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, January 7, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved* (the House concurring), That the Board of State Auditors cause the Capitol building, State Offices, State Library, and Supreme Court rooms, be lighted with gas as soon as possible;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The question being on concurring in the resolution,

Mr. C. B. Grant moved to amend by striking out the words



“Board of State Auditors,” and inserting the words “Auditor General” in lieu thereof;

Which motion prevailed.

The resolution, as amended, was then concurred in.

#### NOTICES.

Mr. Greusel gave notice that on some future day he would ask leave to introduce

A bill giving a lien on property placed on leased premises to secure the rent.

Mr. F. Walker gave notice that on some future day he would ask leave to introduce

A bill to provide for the employment and compensation of clerks for the circuit judges.

Mr. Noyes gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Chelsea, Washenaw county.

Mr. B. Walker gave notice that on some future day he would ask leave to introduce

A bill to modify or amend an act to compel children to attend school, which is sections 3737, 3738, 3739, and 3740 of chapter 136 of the compiled laws of 1871, relative to primary schools.

Mr. J. Walker gave notice that on some future day he would ask leave to introduce

A bill to repeal an act to provide for county superintendents of schools, and to amend section 91 of compiled laws of 1871;

Also,

A bill to define the powers and duties of the board of township inspectors of schools.

Mr. Burns gave notice that on some future day he would ask leave to introduce

A bill giving a lien on property placed on leased premises to secure the rent.

Mr. Van Aken gave notice that on some future day he would ask leave to introduce

A bill to legalize the assessment roll of the township of Butler, in the county of Branch, for the year 1872.

Mr. Chamberlain gave notice that on some future day he would ask leave to introduce

A bill to amend section 4 of act No. 165 of the session laws of 1871, approved April 15, 1871, entitled "An act to compel children to attend school."

Mr. Thompson gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Whitehall, Muskegon county.

Mr. Morse gave notice that on some future day he would ask leave to introduce

A bill to re-incorporate the village of St. Louis.

Mr. C. W. Watkins gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 67 of the revised statutes of 1846, being chapter 91 of the compiled laws, 1871, entitled "Of title to real property by descent," by adding thereto a new section, to stand as section 14.

#### INTRODUCTION OF BILLS.

Mr. E. R. Miller, previous notice having been given, and leave being granted, introduced

A bill to provide for a tax upon dogs.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. C. W. Watkins, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled an act to revise the charter of the village of Wayland, being act No. 366 of the session laws of 1869, approved March 30, 1869, as amended by act No. 203, session laws of 1871, approved February 27, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. West, previous notice having been given, and leave being granted, introduced

A bill to amend section 174 of chapter 178 of the compiled laws of 1871, relative to executions issued by justices of the peace.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Ackley, previous notice having been given, and leave being granted, introduced

A bill to authorize the township of Swan Creek to purchase of the Swan Creek and Saginaw Bridge Company, its bridge across the Tittibawassee river, and to hold the same as a toll bridge.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. Scott, previous notice having been given, and leave being granted, introduced

A bill to repeal act number 57 of the session laws of 1850, being an act to incorporate the Plymouth plank road company, approved March 5, 1850.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. C. W. Watkins, previous notice having been given, and leave being granted, introduced

A bill to amend section 36 of an act to revise the laws providing for the incorporation of railroad companies, being section 2,440 of chapter 75 of the compiled laws of 1871, as amended by act No. 43 of the session laws of 1872, approved March 29, 1872.

The bill was read a first and second time by its title, and referred to the committee on railroads.

#### MOTIONS AND RESOLUTIONS.

Mr. Gilmore offered the following :

*Resolved*, That hereafter the chief clerk of this House be instructed to procure not more than five hundred copies of the daily journal for the use of members of this House.

Referred, by unanimous consent, to the committee on printing.

UNFINISHED BUSINESS.

Being the consideration of the following:

*Resolved*, (the Senate concurring), That the State Board of Auditors be instructed to furnish gas for this building, and for the State Offices, and State Library.

On motion of Mr. Bonine,

The resolution was laid on the table.

Also the following:

*Resolved by the House of Representatives* (the Senate concurring), That 1,500 copies of the Governors' messages, both of the retiring and present incumbent, be translated and printed in the Holland language; and that the same be awarded to the publishers of the Grondwet, of the city of Holland, to be distributed by them among the Holland people in the counties of Allegan, Ottawa, Kent, and Muskegon, at a cost to be fixed by this Legislature.

On motion of Mr. Hoyt,

The resolution was referred to the committee on printing.

Also the following:

*Resolved* (the Senate concurring), That the Secretary of State be authorized to furnish each member of the present Legislature with one copy of the compiled laws of 1871.

On motion of Mr. Speed,

The resolution was referred to the committee on the judiciary.

Also the following:

*Resolved by the House of Representatives* (the Senate concurring), That the State printer be directed to transmit to the Hon. Nelson B. Jones, formerly Clerk of this House, one copy

of the daily journal of the Senate and House during the present session ;

Which was not adopted.

Also the following :

*Resolved* (the Senate concurring), That the resident clergymen of the city of Lansing, officiating in the Legislature, be furnished with a copy of the manual of 1871, and also of 1873 when published.

Mr. Grant moved to amend the resolution by inserting after the word " Legislature " the words " and the clergymen of all the other cities and towns of the State ; "

Which motion did not prevail.

The resolution was then not adopted.

Also the following :

*Resolved* (the Senate concurring), That the Secretary of State be requested to furnish copies of the " manual " to the reporters.

Mr. E. R. Miller moved to amend the resolution by adding thereto the words, " and also the manual for 1873 when printed.

Mr. Withington moved to amend the amendment, by inserting after the word " reporters " the words " for the press in attendance at the present session of the Legislature ; "

Which motion prevailed.

The motion to amend, as amended, then prevailed.

The resolution, as amended, was then adopted.

On motion of Mr. Shaw the House took a recess for twenty-five minutes.

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AFTER RECESS.

11:10 A. M.

Roll called : quorum present.

The Speaker announced the following communication.

*To the Speaker of the House of Representatives :*

SIR—Pursuant to a resolution of the House, I have appointed

Henry W. Walker of Ingham county, Corresponding Clerk,  
and Samuel F. Cook of Jackson county, Journal Clerk.

Very respectfully,

D. L. CROSSMAN,

*Clerk of the House.*

The above named gentlemen then came forward and took and subscribed the constitutional oath of office, and entered on their respective duties.

The Speaker announced as the committee on division of subjects of the messages of the Governor and retiring Governor, Messrs. Chamberlain, E. R. Miller, Shaw, Mitchell, and Grant.

#### STANDING COMMITTEES OF THE HOUSE.

The Speaker also announced the appointment of the standing committees of the House as follows:

*Ways and Means*—Grant, Burns, Fancher, Withington, Cobb.

*State Affairs*—L. Walker, Blackman, Bailey, Drake, Oady.

*Judiciary*—Shaw, Speed, Eggleston, Rose, Gilmore.

*Harbors*—Green, Curtis, Gordon, Chafey, Haywood.

*Elections*—Burns, Hewitt, Thompson, Morse, Welker.

*Federal Relations*—Ripley, Bottomley, Climie, Bonine, Markey.

*Private Corporations*—Eggleston, Mitchell, Smith, Caplis, Remer.

*Municipal Corporations*—Speed, Buell, Hoyt, Breitung, Zimmerman.

*Internal Improvements*—Garfield, Remer, Lamb, Scott, Hertzler.

*Public Lands*—Sessions, Briggs, Hoar, Bottomley, Buell.

*Printing*—Fancher, Ackley, Hosner, Garvelink, Cobb.

*Agriculture*—Walton, Hewitt, Carter, Van Aken, Thompson.

*Towns and Counties*—Climie, R. C. Miller, Wixon, Armstrong, Breitung.

*Education*—Warren, Luce, Brunson, Grant, Perry.

*Roads and Bridges*—J. Walker, A. Walker, B. Walker, F. Walker, L. Walker.

*Agricultural College*—Rich, Chafey, Morse, Priest, Warren.

*Asylum for the Insane*—Bonine, Knapp, Sanderson, Wheeler, Cook.

*Asylum for the Deaf, Dumb, and Blind*—Howard, Goodrich, Pierce, Simpson, Ackley.

*Reform School*—Chamberlain, E. R. Miller, Kellogg, Kipp, Drew.

*Geological Survey*—Noyes, Edwards, Ripley, Harris, Briggs.

*Military Affairs*—Withington, Haire, Edwards, Ferguson, E. C. Watkins.

*State Prison*—Parsons, Lewis, R. C. Miller, Robinson, Walton.

*University and Normal School*—Thomas, Robertson, Collins, Noyes, Knapp.

*Mines and Minerals*—Harris, Breitung, Bailey, Van Scoy, Cady.

*Manufactures*—Van Scoy, O'Dell, Drake, Sanderson, Greusel.

*Lumber and Salt Interests*—Lockwood, Haire, Lewis, Howard, Haywood.

*Religious and Benevolent Societies*—Welker, Striker, Robinson, Garfield, Parsons.

*Insurance*—C. W. Watkins, Caplis, Zimmerman, West, Green.

*Local Taxation*—Mitchell, Curtis, Dinturff, Gordon, Hertzler.

*Immigration*—Greusel, Garvelink, Fey, Drew, Chamberlain.

*Fisheries*—E. R. Miller, Wixon, Cook, Wheeler, Welch.

*Rules and Joint Rules*—Gilmore, Bartholomew, Hosner, Carter, Mackey.

*Engrossment and Enrollment*—Blackman, Collins, Luce, Sessions, Rich.

*Supplies and Expenditures*—Kellogg, Goodrich, O'Dell, Armstrong, C. W. Watkins.

*State Library*—Hoyt, Simpson, Ferguson, Brunson, Perry.

*Drainage*—Priest, Welch, Kipp, Dinturff, Shaw.

*Railroads*—E. C. Watkins, F. Walker, Rose, Hoar, A. Walker.

*Public Health*—Bartholomew, Striker, B. Walker, Pierce, Thomas.

*State Public School*—Lamb, J. Walker, Robertson, Van Aken, Smith.

*Horticulture*—Scott, West, Briggs, Fey, Lockwood.

Mr. Shaw moved that when the House adjourn it be until 10 o'clock to-morrow morning ;

Which motion prevailed.

Mr. Speed moved to reconsider the vote by which the House refused to adopt the following resolution :

*Resolved*, (the Senate concurring), That the resident clergymen of the city of Lansing, officiating in the Legislature, be furnished with a copy of the manual of 1871, and also of 1873 when published ;

Which motion prevailed.

The resolution was then adopted.

Mr. Withington offered the following :

*Resolved*, That the Soldiers' and Sailors' Association of Michigan be allowed the use of this hall for their meeting, during the afternoon and evening of this day ;

Which was adopted.

On motion of Mr. Fey,

The House adjourned.



*Lansing, Thursday, January 9, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Crosby.

Roll called: quorum present.

Absent without leave, Messrs. Bottomley, Eggleston, Fancher, Knapp, and Lockwood.

Mr. Buell asked and obtained leave of absence for Mr. Bottomley for the day.

Mr. Gilmore asked and obtained leave of absence for Mr. Fancher for the day.

Mr. Zimmerman asked and obtained leave of absence for Mr. Knapp for the day.

Mr. Bonine asked and obtained leave of absence for Mr. Lockwood for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Bonine: Petition of H. M. Dean, D. O. Woodruff, and 273 others, asking for an amendment to the act entitled "An act for the preservation of fish ;"

Referred to the committee on fisheries.

By Mr. Ripley: Petition of Frederick Shafer and 55 others, asking for an amendment of section number 2, chapter number 141, of the compiled laws ;

Referred to committee on the judiciary.

By Mr. Greusel: Petition of Frederick Baker, Philip Keramer, and 46 others, relative to lien on property to secure rent ;

Also, petition of A. C. Fisher and 60 others, for the same purpose ;

Referred to the committee on the judiciary.

#### REPORTS OF SELECT COMMITTEES.

The select committee to whom were referred the messages of His Excellency, Gov. Bagley and ex-Gov. Baldwin, to designate a proper reference to the standing committees of the subject-matter therein contained, have had the same under

consideration, and have directed me to report, recommending the following references, and ask to be discharged from the further consideration of the subject:

So much thereof as relates to the finance, be referred to the committee on ways and means;

So much thereof as relates to State lands, to the committee on public lands;

So much as relates to education, to the committee on education;

So much as relates to the University and State Normal School, to the committee on University and State Normal School;

So much as relates to the Agricultural College, to the committee on Agricultural College;

So much as relates to the education of the deaf, dumb, and blind, to the committee on the Asylum for the Deaf, Dumb, and Blind;

So much as relates to the Asylum for the Insane, to the committee on Insane Asylum;

So much as relates to the State Public School, to the committee on State Public School;

So much as relates to the Reform School, to the committee on Reform School;

So much as relates to the State Prison, to the committee on State Prison;

So much as relates to the State Library, to the committee on State Library;

So much as relates to the new Capitol, to the committee on State affairs;

So much as relates to the compilation of the laws, to the committee on the judiciary;

So much as relates to constitutional amendments, to the committee on State affairs;

So much as relates to the incorporation of cities and villages, to the committee on municipalities;

So much as relates to immigration, to the committee on immigration ;

So much as relates to territorial laws, to the committee on the judiciary ;

So much as relates to the geological survey, to the committee on geological survey ;

So much as relates to the St. Marie's ship canal and the Portage Lake and Lake Superior ship canal, to the committee on internal improvements ;

So much as relates to railroads, to the committee on railroads ;

So much as relates to the military department, to the committee on military affairs ;

So much as relates to bounties, to the committee on ways and means ;

So much as relates to Gettysburg and Antietam cemeteries, to the committee on federal relations ;

So much as relates to war claims, to the committee on Federal relation ;

So much as relates to the vital statistics, to the committee on public health ;

So much as relates to the statistics of the State, to the committee on State affairs ;

So much as relates to insurance, to the committee on insurance ;

So much as relates to banks, to the committee on private corporations ;

So much as relates to printing, to the committee on printing ;

So much as relates to the wards of the State, to the committee on State affairs ;

So much as relates to taxation, to the committee on ways and means ;

So much as relates to fish culture, to the committee on fisheries ;

So much as relates to salaries, to the committee on ways and means.

All of which is respectfully submitted,

WM. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoyt,

The House concurred in the recommendations of the committee, and the various subjects were referred in accordance therewith.

COMMUNICATIONS FROM STATE OFFICERS.

*Lansing, Mich., January 8, 1873.*

*Hon. D. L. Crossman, Clerk House Representatives :*

SIR—In reply to yours of this date, communicating resolution of the House asking for the opinion of Attorney-General Howard relative to payment of traveling expenses of circuit judges, would say that I have made a thorough examination of the records and files in this office, and find no record or paper on the subject referred to in this office.

Yours, respectfully,

M. A. HEWETT,

*Clerk Board State Auditors.*

The communication was laid on the table.

MESSAGE FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, January 8, 1872.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

*Resolved* (the Senate concurring), That the State Librarian be instructed to purchase six copies of Cushing's Parliamentary Law and thirty-five copies of Cushing's Manual ;

In the passage of which the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The resolution was referred to the committee on engrossment and enrollment for enrollment.

## NOTICES.

Mr. Climie gave notice that on some future day he would ask leave to introduce

A bill regulating freights on railroads.

Mr. Cady gave notice that on some future day he would ask leave to introduce

A bill to change the name of John Lewis Harznacht to that of John Lewis Wolf.

Mr. Green gave notice that on some future day he would ask leave to introduce

A bill to provide for the approval of the official bonds of county officers by the board of supervisors.

Mr. Welch gave notice that on some future day he would ask leave to introduce

A bill to authorize and empower the conveyance of certain lands in Monroe county, belonging to John Addy, barred of the right of dower, without the joining therein of his wife, Martha Addy, an insane person.

Mr. Striker gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a State road running north from the village of Bedford, Calhoun county, to Quimby station, on the Grand River Valley railroad in Barry county.

Mr. Blackman gave notice that on some future day he would ask leave to introduce

A bill to amend section 5 of chapter 150, being section 4207 of the compiled laws of 1871, in relation to covenants in deeds of conveyance of real estate.

Mr. West gave notice that on some future day he would ask leave to introduce

A bill to amend section 107 of chapter 136 of the compiled laws of 1871, relative to taxes for school purposes.

Mr. Speed gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5th, 1857.

Mr. Gordon gave notice that on some future day he would ask leave to introduce

A bill to change the name of Mary Sullivan to Minnie Amanda Norton, and making her the heir of J. Norton and wife, of Wayne county, Michigan.

Mr. Hoyt gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to provide for county superintendents of schools, and to amend section 91 and to repeal sections 74, 85, 86, 87, 88, 89 and 90, of chapter 78 of the compiled laws," approved March 13th, 1867, the same being chapter 139 of the compiled laws of 1871.

Mr. R. C. Miller gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Greenville, Montcalm county.

Mr. Sanderson gave notice that on some future day he would ask leave to introduce

A bill to repeal section 1178 of the compiled laws, being an act to provide a tax upon dogs.

Mr. Welker gave notice that on some future day he would ask leave to introduce

A joint resolution to amend section 24 of article 4 of the legislative department of the constitution of this State.

Mr. Grant gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to extend aid to the University of Michigan," being sections 3506 and 3507 of chapter 132 of the compiled laws of 1871;

Also,

A bill to extend aid to the State Normal School.

Mr. Buell gave notice that on some future day he would ask leave to introduce

A bill to amend section one (1) of chapter thirty-eight (38) of the compiled laws of 1871, so as to provide a right of way to individuals for the construction of telegraph lines over State lands ;

Also,

A bill to amend section five (5) of chapter eighty (80) of the compiled laws of 1871, so as to provide a right of way to telegraph companies for the construction of telegraph lines over State lands ;

Also,

A joint resolution requesting our Senators and Representatives in Congress to use their influence to obtain from the United States an appropriation of government lands to aid in the construction of a railroad from Marquette harbor, on Lake Superior, to the Straits of Sault Ste. Marie and Mackinaw.

Mr. Pierce gave notice that on some future day he would ask leave to introduce

A bill to amend the law creating the office of county superintendent of schools, so that it shall be no longer in operation in Wayne county.

#### INTRODUCTION OF BILLS.

Mr. Greusel, previous notice having been given, and leave being granted, introduced

A bill giving a lien on property placed on leased premises to secure the rent.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Fey, previous notice having been given, and leave being granted, introduced

A bill to define how many hours labor shall constitute a legal day's work.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Speed, previous notice having been given, and leave being granted, introduced

A bill to protect travelers from annoyance of runners and solicitors of hotels, boats, etc.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Van Aken, previous notice having been given, and leave being granted, introduced

A bill to legalize the assessment roll of the township of Butler, in the county of Branch, for the year 1872.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Burns, previous notice having been given, and leave being granted, introduced

A bill to amend section 364 of chapter 10 of the compiled laws, in relation to the compensation of members of boards of supervisors.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Burns, previous notice having been given, and leave being granted, introduced

A bill giving a lien on property placed on leased premises to secure the rent.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Speed, previous notice having been given, and leave being granted, introduced

A bill supplementary to an act entitled "An act to provide for the incorporation of railroad companies," approved February 12, 1855.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. F. Walker, previous notice having been given, and leave being granted, introduced

A bill to provide for the employment and compensation of clerks for the circuit judges.

The bill was read a first and second time by its title, and referred to the committee on judiciary.



Mr. Chamberlain, previous notice having been given, and leave being granted, introduced

A bill to amend section 4 of act No. 165 of the session laws of 1871, approved April 15, 1871, entitled "An act to compel children to attend school."

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Gilmore, previous notice having been given, and leave being granted, introduced

A bill to amend section 3366, being section twelve of chapter 128 of compiled laws of 1871, relative to the formation of companies for the introduction of water into towns, cities, and villages in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. West, previous notice having been given, and leave being granted, introduced

A bill to amend section 17 of chapter 175 of the compiled laws, relative to juries in civil cases in the circuit court.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. Gordon offered the following:

*Resolved*, That the messengers be required to occupy seats on the steps at the Speaker's desk during the morning religious services ;

Which was adopted.

Mr. Caplis offered the following:

*Resolved*, That the House furnish the reporters of the press upon the Speaker's platform so much stationery during the session of the Legislature as shall not exceed in value the allowance to which the members of this House are entitled.

Mr. Welker moved to refer the resolution to the committee on printing ;

Which motion did not prevail.

Mr. Speed moved to amend the resolution by striking out the words "reporters" and "members," and inserting in lieu thereof the words "each reporter" and "each member ;"

Which motion prevailed.

The question being on the adoption of the resolution, Mr. Kellogg demanded the yeas and nays.

The demand was seconded, and the vote, by yeas and nays, was as follows :

#### YEAS.

Mr. Ackley,	Mr. Garvelink,	Mr. Rose,
Armstrong,	Gordon,	Sanderson,
Bailey,	Green,	Scott,
Blackman,	Greusel,	Shaw,
Bonine,	Haire,	Simpson,
Buell,	Haywood,	Smith,
Burns,	Hertzler,	Speed,
Cady,	Hewitt,	Thomson,
Caplis,	Hoar,	Van Scoy,
Carter,	Hosner,	A. Walker,
Chamberlain,	Lamb,	B. Walker,
Climie,	Lewis,	F. Walker,
Cobb,	Lockwood,	C. W. Watkins,
Collins,	Markey,	E. C. Watkins,
Dinturff,	E. R. Miller,	Welch,
Drew,	Parsons,	West,
Edwards,	Pierce,	Wheeler,
Fey,	Robinson,	Speaker. 54

#### NAYS.

Mr. Bartholomew,	Mr. Hoyt,	Mr. Robertson
Briggs,	Kellogg,	Sessions,
Brunson,	Kipp,	Striker,
Chafey,	Luce,	Van Aken,
Cook,	R. C. Miller,	J. Walker,
Curtis,	Morse,	L. Walker,
Drake,	Noyes,	Walton,
Garfield,	O'Dell,	Warren,
Gilmore,	Perry,	Welker,
Goodrich,	Priest,	Withington,
Grant,	Rich,	Wixon,
Howard,	Ripley,	Zimmerman. 36

The Speaker announced that there was question whether,

under the clause of the constitution relative to appropriations for private purposes, the adoption of this resolution would not require the affirmative vote of two-thirds of all the members elect; and at his request, before the decision of the question,

On motion of Mr. Bonine,

The whole question was referred to the judiciary committee.

Mr. E. R. Miller offered the following:

*Resolved*, That the committee on ways and means be and they are hereby directed to ascertain and report to the clerk of this House the number of miles travel for which each member will be entitled to draw mileage;

Which was adopted.

On motion of Mr. Bonine,

The House took a recess until 2 P. M.

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#### AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

#### PRESENTATION OF PETITIONS.

By Mr. Haywood: Petition of Charles B. Cortland, Wm. R. Stafford, and 16 others, for the extension of the time for the collection of taxes in the township of Rubicon, Huron county;

Referred to the committee on local taxation.

By Mr. Haywood: Petition of W. J. Snyder, J. L. Leitch, and 10 others, for the organization of the township of Bloomfield in the county of Huron;

Referred to the committee on towns and counties.

#### REPORTS OF STANDING COMMITTEES.

By the committee on Reform School:

The committee on Reform School. to whom was referred

A bill to amend section 13 of chapter 268 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### NOTICES.

Mr. Wixon gave notice that on some future day he would ask leave to introduce

A joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to procure an amendment to the pension law granting pensions to the surviving soldiers of the war of 1812, so as to entitle all of said soldiers to a pension irrespective of time of service.

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill for the protection of labor in cutting, hauling, banking, rafting, and driving logs.

Mr. Burns gave notice that on some future day he would ask leave to introduce

A bill giving a lien on property, placed on leased premises, to secure the rent.

#### INTRODUCTION OF BILLS.

Mr. Sessions, previous notice having been given, and leave being granted, introduced

A bill to equalize the property of fractional school districts situated in two or more counties.

The bill was read a first and second time by its title, and referred to the committee on education.

#### MOTIONS AND RESOLUTIONS.

Mr. Simpson offered the following:

*Resolved*, That the members of this House do hereby express

their entire satisfaction with the Speaker's appointment of the standing committee on roads and bridges, as none are supposed to be better qualified to judge of such matters than "pedestrians."

Mr. Buell moved to amend the resolution by inserting the word "Walkers" in lieu of "pedestrians."

On motion of Mr. Ripley,

The resolution was laid on the table.

Mr. Lamb offered the following:

*Resolved*, That the judiciary committee be authorized to appoint a clerk at a compensation not to exceed three dollars per day ;

Which was adopted.

Mr. C. W. Watkins offered the following:

*Resolved*, That there be 2,000 copies each of the messages of Governor Bagley and ex-Governor Baldwin printed for the use of the members of this House.

Mr. Hoyt moved to amend the resolution by striking out the words "two thousand," and inserting the words "one thousand" in lieu thereof;

Which motion did not prevail.

On motion of Mr. Ripley,

The resolution was referred to the committee on printing.

Mr. Warren offered the following:

*Resolved*, That the committee on printing be instructed to report on the various motions to print the messages of ex-Governor Baldwin and Governor Bagley at their earliest convenience ;

Which was adopted.

On motion of Mr. R. C. Miller,

The House adjourned.

*Lansing, Friday, January 10, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Fairfield.

Roll called : quorum present.

Absent without leave, Mr. Rose.

Mr. Speed asked and obtained leave of absence for Mr. Rose until Monday.

#### PRESENTATION OF PETITIONS.

By Mr. Walton : Memorial of the board of supervisors of Lenawee county, relative to insane persons.

Mr. Walton called for the reading of the same, which was as follows :

*To the Legislature of the State of Michigan :*

The board of supervisors of the county of Lenawee respectfully desire to call your attention to the importance and necessity of such legislation as shall more effectually provide for the reception and accommodation, at the Michigan Asylum for the Insane, of persons in that stage or period of insanity, when, with proper treatment and care, a cure may be effected.

It is well understood that a large proportion of the insane, if treated at the outset of the disease, before the delusions of the mind become settled, the nervous system exhausted, and the malady confirmed, may be restored to mental health, and permanently cured. Indeed, it is claimed, that in a great majority of cases, those who are hopelessly and incurably insane have become so from neglect and want of proper treatment at the outbreak of the disease.

It seems to your memorialists as though ample accommodation should be especially provided at the said Asylum, for the treatment of such unfortunate class in our State, as are not yet beyond hope of recovery. But your memorialists are informed and believe, that now, and for a long time past, the accommodations of this institution have been wholly inade-

quate for such purpose—that it is crowded with patients who are incurably insane, many of whom are dangerous, and have been confined there for years without any prospect or expectation of recovery, and who, from present appearances, are likely to remain there for the balance of their lives—while almost daily the officers of the institution are compelled to turn away and refuse admission to patients in our midst, who, with proper treatment, might be speedily cured.

We believe this institution was designed and founded, not alone as a prison or place of confinement for patients of this character, past all hope of restoration, but rather in wisdom and mercy, as a means for restoring, through intelligent and skillful treatment and care, to health and usefulness, a class of our citizens who have thus become mentally disordered.

In view of these facts, your memorialists respectfully and earnestly pray your Honorable body to take such action as shall speedily secure to those in the early stages of insanity admission and treatment in said Asylum, to the end that said Asylum may more completely fulfill the purpose for which it was designed.

ADRIAN, Lenawee county, Dec. 30, 1872.

WM. B. HILL,

*Chairman of the Board of Supervisors of Lenawee county.*

G. W. WESTERMAN,

*Clerk of the Board.*

Referred to the committee on Insane Asylum.

By Mr. Armstrong: Resolution and memorial of board of supervisors of Newaygo county, relative to increase of salaries of circuit judges, etc;

Referred to committee on judiciary.

By Mr. Burns: Petition of Thos. Armstrong, Worcester, Laible & Co., and 58 others, relative to lien on property, placed on leased premises to secure rent;

Referred to the committee on judiciary.

## REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to amend an act entitled " An act to revise the charter of the village of Wayland," being act number 366 of the session laws of 1869, approved March 30, 1869, as amended by act No. 203 of the session laws of 1871, approved February 27, 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

Mr. Speed moved that the rules be suspended and the bill be placed on the order of third reading ;

Which motion did not prevail.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation :

The committee on local taxation, to whom was referred

A bill to legalize the assessment roll of the township of Butler, in the county of Branch, for the year one thousand eight hundred and seventy-two,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

PRESTON MITCHELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.



## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, January 9, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

*Resolved*, (the House concurring), That the compiler and publisher of the manual be instructed to add thereto a short biographical sketch of the Governor and other State officers, and members of both Houses of the Legislature; the same to be printed in nonpareil or minion type, composition to be “solid;” provided it does not extend the time of preparing the manual more than five days;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

On motion of Mr. Chamberlain,

The House concurred in the adoption of the resolution.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, January 9, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

WHEREAS, A circular has been issued by the American Geographical Society, stating that

“This Society has been requested by the proper authority to collect for exhibition at the Vienna International Exposition, to open May 1, 1873, such maps, large photographs of scenery, geographical and geological reports and statistical information, as may best portray the geographical features, represent the true condition of commerce and trade, and illus-

trate. the material progress, the prosperity, and unequaled advantages of our country ;

“It is earnestly hoped, for the credit of the nation, that a liberal response will be made.

“The time is short. All contributions must be sent in by February 1, 1873.”

AND WHEREAS, Richard Hawley, William A. Butler, and Duane Doty, of this State, have been appointed associates of “Additional Group No. 6,” which embraces Geography and Statistics ;

AND WHEREAS, It is to the interest of Michigan to make known abroad the vast resources and unprecedented advantages, natural, educational, and governmental, enjoyed by our citizens and residents ; therefore

*Resolved* (the House of Representatives concurring), That the Secretary of State be and he is hereby instructed to collect, as far as practicable, one copy each of the following State documents and sets thereof, and forward the same to Hon. Duane Doty, Secretary of the Michigan Commissioners, for the purpose of having the same forwarded to the American Geographical Society, as a part of the contribution of Michigan to the Vienna International Exposition, to wit :

The four annual reports of the Secretary of State on vital statistics ; reports of the Commissioner of Insurance ; Auditor General’s report on railroads ; reports of the Board of Equalization ; reports of the Auditor General ; geological reports of Michigan ; agricultural reports of Michigan ; pomological reports of Michigan ; educational reports of Michigan ; reports of the State benevolent institutions ; reports of special commissioners to examine penal, reformatory, and charitable institutions ; Governors’ messages ; legislative manuals, and such other publications as may be appropriate to the objects of the Exposition ; and that the State Librarian, State printer, and other State officers be and are hereby instructed to aid the Secretary of State in making the above collection, by contrib-

uting such of the documents as may be in their possession, not required for other purposes ;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Greusel,

The House concurred in the adoption of the resolution.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, January 9, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 1, entitled

A bill to amend section 14 of an act entitled “An act to provide for the organization of the Supreme Court, pursuant to section 2 of article 6 of the Constitution,” approved February 16, 1857 ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

#### NOTICES.

Mr. Haire gave notice that on some future day he would ask leave to introduce

A bill to amend section 41 of an act entitled “An act to revise the laws providing for the incorporation of railroads,”

approved April 18th, 1871, being section 2337 of the compiled laws of 1871.

Mr. Hertzler gave notice that on some future day he would ask leave to introduce

A bill to amend section 72 of chapter 12 of the compiled laws of 1871, changing the time of meeting of the township boards for auditing accounts.

Mr. Lamb gave notice that on some future day he would ask leave to introduce

A bill to provide for the laying out, establishing and constructing a State road in the county of Lapeer, and appropriating certain non-resident highway taxes for same.

Mr. Cook gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of chapter 53 of the compiled laws of 1871, relative to disorderly persons.

Mr. Sanderson gave notice that on some future day he would ask leave to introduce

A bill to repeal section 107, chapter 136, of compiled laws, relative to assessment of the two mill tax.

Mr. Haywood gave notice that on some future day he would ask leave to introduce

A bill to organize the township of Bloomfield in the county of Huron.

Mr. B. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend an act to provide for a tax on dogs, approved March 16, 1865, which is a part of chapter 22 of the compiled laws of 1871.

Mr. Grant gave notice that on some future day he would ask leave to introduce

A bill to amend section 4407 of chapter 157 of the compiled laws of 1871, relative to the inventory and collection of the effects of deceased persons.

## INTRODUCTION OF BILLS.

Mr. Blackman, previous notice having been given and leave being granted, introduced

A bill to amend section 5 of chapter 150, being section 4207 of the compiled laws of 1871, in relation to covenants in deeds of conveyance of real estate.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Buell, previous notice having been given and leave being granted, introduced

A joint resolution requesting our Senators and Representatives in Congress to use their influence to obtain from the United States an appropriation of government lands to aid in the construction of a railroad from Marquette harbor, on Lake Superior, to the Straits of Sault Ste. Marie and Mackinaw.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. Hoyt, previous notice having been given and leave being granted, introduced

A bill to amend sections 4, 7, and 9 of an act entitled "An act to provide for county superintendents of schools, and to amend section 91 and to repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78 of the compiled laws," approved March 13th, 1867, the same being chapter 139 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Green, previous notice having been given and leave being granted, introduced

A bill to provide for the approval of the official bonds of county officers by the board of supervisors.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. C. W. Watkins, previous notice having been given and leave being granted, introduced

A bill to amend chapter 67 of the revised statutes of 1846, being chapter 91 of the compiled laws, 1871, entitled "Of title to real property by descent," by adding thereto a new section, to stand as section 14.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. E. C. Watkins offered the following :

*Resolved* (the Senate concurring), That we request our Senators in Congress to use all honorable means to secure the concurrence of the Senate in the passage of the Soldiers' and Sailors' Bounty bill, which has recently passed the House.

Laid over under the rules.

Mr. Chamberlain offered the following :

*Resolved*, That the committee on ways and means be and they are hereby directed to ascertain, and report to the Clerk of this House, the number of miles travel for which each officer of this House will be entitled to draw mileage ;

Which was adopted.

Mr. Speed offered the following :

*Resolved*, That the opinion of Ex-Attorney General Howard relative to expenses of circuit judges, made to the board of State Auditors, as found in House documents for 1857, be printed in the Journal ;

Which was adopted.

The following is the document referred to :

ATTORNEY GENERAL'S OFFICE, }  
Lansing, February 15, 1856. }

*To the Board of State Auditors :*

GENTLEMEN—Your letter dated the 14th instant is received, requesting my official opinion touching the power of the Board to allow the claims of the Circuit Judges for actual expenses in discharging their official duties, and inviting me to make a careful examination of the clauses of the Constitution which

relate to the subject. The only clauses of the instrument applicable to the question are the following :

Section 21 of article 24 declares that "the Legislature shall not grant nor authorize extra compensation to any public officer, agent, or contractor, after the service has been rendered, or the contract entered into." Section 9 of article 6 provides that "each of the Judges of the Circuit Court shall receive a salary payable quarterly." Article 9 provides that the Judges of the Circuit Court shall receive an annual salary of one thousand five hundred dollars. "They shall receive no fees or perquisites whatever for the performance of any duties connected with their offices." Section 20 of the schedule provides that "it shall not be lawful hereafter for the Legislature to increase or diminish the compensation of any officer during the term for which he was elected or appointed." With respect to the Judges and State officers, the word "compensation" has obviously the same meaning as the word "salary" in article 9, and has no broader application. The word salary must of course receive its usual and popular signification, which is compensation or remuneration stipulated to be paid for services, usually a fixed sum to be paid by the year.

In consideration of the obligation assumed by a Judge in his election and oath of office to perform the judicial service for the government required of him by the Constitution, the Constitution grants to him the salary of fifteen hundred dollars a year ; and it may be added that although he might not be able, on account of sickness, or other cause, actually to perform the services, yet he is undoubtedly entitled to receive from the State the salary granted, so long as he is in fact vested with the office. Thus the salary adheres to the office, and becomes inseparable from it, the mutuality of the contract consisting in the holding of the office by the Judge, and his consequent obligation to perform the duties, and the grant of the salary by the State.

It may be added here that section 11 of article 6 empowers the Legislature to *require* any Judge to hold the courts which are within another's Circuit, without relieving the former of his duties to hold his own, and yet the latter would, under the Constitution, be entitled to his full salary. This strengthens the view already taken that the salary in the intendment of the Constitution is attached to and inherent in the Judicial office.

What is the office? It is the duty and the power to perform the judicial acts authorized or required by the Constitution itself, and at the times and places designated by law; that is, to exercise for the State the jurisdiction conferred upon the judicial department in the sixth article of the instrument; in other words, to hear, try, and determine, the cases contemplated in that article. Should the Legislature, however, confer upon the Judges functions *not judicial*, no one will contend that they would be bound to exercise them without additional remuneration.

The sixth section of article 6 provides that the "State shall be divided into eight Judicial Circuits, in each of which the electors thereof shall elect one Circuit Judge, who shall hold his office for the term of six years, and until his successor is elected and qualified." Section 11 of the same article provides that "a Circuit Court shall be held at least twice in each year in every county organized for judicial purposes, and four times in each year in counties containing 10,000 inhabitants." Of course the Constitution foresees that the Circuit Judge must necessarily be absent from his home much of his time, and be at expense in traveling to and from the places fixed by law for his holding his court. That these absences and these expenses must necessarily be distributed very unequally among the Judges was also foreseen, and consequently, if each was bound to defray the expenses out of his own means, that the real compensation (the salary) for performing their duties would be thus rendered unequal, and in some cases oppressively so. I



cannot imagine that such was the intention of the framers of the Constitution, or of the people who adopted it. I do not believe it to have been their intention that while one Circuit Judge, by being domiciled in a county which of itself constitutes a circuit (as Wayne does now), is relieved from traveling expenses in holding his court, that another should be compelled, at his own expense, to travel thousands of miles yearly in holding his courts in new and remote counties, where the expense of traveling annually absorbs a large proportion of the sum granted as salary. Such an intention cannot be imputed, for it implies a gross inequality, for which no reason is apparent on the face of the Constitution, much less in the functions to be exercised, for they are the same in both cases, are of equal dignity and necessity, and equally important to the State.

I infer therefore that such was not only not the intention of the convention and the people, but that their intention was to place all the Judges in equality of compensation. Certainly the language of the ninth article plainly implies this, for each is to receive an annual salary for holding the office and exercising its functions at the places assigned by law, and the only mode of securing this equality is the payment of such expenses by the public. How is it to be effected, unless by making to each Judge the expenses he necessarily incurs in going from his home, holding his court, and returning? To say that the people intended to throw upon him personally this serious burden, one which no man without an ample fortune can sustain without serious inconvenience, is to impute to them an intention that their Judges shall sustain a large share of the cost of serving them.

My opinion, then, is that the Constitution, upon a just and reasonable interpretation of its terms, contemplates the payment of such actual and necessary expenses, and that when incurred, they become a valid and legal charge against the State. Such expenses are neither "salary" nor "compensation," both which terms are synonymous as applied by the

Constitution to the State officers and Judges. They both imply the payment of money by the State to the proper officer for holding and exercising his office, or to speak more precisely and accurately, for holding the office. It cannot be necessary to cite adjudged cases on this point; no decision, no commentary, can add clearness to the terms in which the Constitution expresses the proposition. It does not require them to pay their own expenses incurred in performing their official duties, and as such a requirement is in direct hostility to the express provision giving to each a certain salary or compensation for holding the office, and an equal one to all the others, the conclusion is to my mind irresistible that the object of the provision cannot be obtained without the payment of those expenses. The claim here is not for "salary," nor for "compensation," nor for "perquisites," nor "fees," but only for *indemnity*. It is for the repayment of money *actually paid out by the Judges* in discharging their official duties, without incurring which expenses it was not possible for them to perform those duties. These expenses were part of the indispensable means of exercising the functions of their office at the times and places established by law.

It seems to me that were it the case of a man employing an agent, on a distinct service, to perform which it was absolutely necessary for the latter to travel and incur expenses, and for the performance of which, at the proper place, he was to receive a stated sum, there could be no doubt or hesitation, without a stipulation to the contrary, the principal would, upon the most familiar principles of justice, be held to pay the expenses of his agent in reaching the spot and returning. Here, perhaps, I ought to stop, but as several objections have been taken to the allowance, founded upon constitutional grounds, I will consider a few of them.

The first is, that it was the intention of the convention that these salaries should be in full of all claims on the part of the Judges. Where the evidence of the intention is sup-

posed to be found is not known to me; certainly not in the public debates of the convention who framed the Constitution. A perusal of these debates fails to throw any light on the subject in discussion, and even if they should upon their face indicate that such was the intention, and it appears from the language they have actually employed in the instrument, when interpreted by the ordinary rules applied by courts of justice, that such was not their intention, the debates ought to have no influence. The well settled principle of law, that the intention and effect of a written document whose terms are free from ambiguity, are to be derived from the instrument itself, and not from the contemporaneous discussion of the parties, applies as plainly here as elsewhere. A different rule would lead to the most perplexing uncertainty, doubt, and confusion. So that the real question here is not what the members of the convention expressed in debate, but what they have expressed in the Constitution as formed and signed by them. But I have been informed by a leading and highly intelligent member of the convention, that in point of fact, those among them who were by their profession peculiarly fitted to judge of the legal effect of the Constitution upon the point in controversy, were of opinion that the point in question did not touch the incidental expenses of the Judges, and that the Board was clothed with full power to allow them.

Another objection is, that the same construction which would allow these claims would authorize the Board to allow the traveling expenses and other actual incidental expenses of the members of the Legislature, their board, for instance, while attending the sessions. To this objection it may be replied that the Constitution requires that they shall render their ordinary services at the seat of government and at no other place, that their compensation for holding their seats and performing their ordinary official duties, shall be three dollars a day, "ten cents and no more for every mile actually traveled, going to and returning from the place of meeting,

on the usually traveled route, and for stationery and newspapers not exceeding five dollars for each member during any session, but shall not receive at the expense of the State, books, papers, or other perquisites of office (*i. e.*, pecuniary advantages allowed by law for exercising their office), not expressly authorized by this Constitution." Such is to be the "compensation of members" for traveling to and from their homes, and attending sessions.

These provisions are particularly clear and specific. They cover the whole ground of travel and attendance to and at the seat of government, and leave no doubt upon the mind of the reader that this compensation is all they are to receive therefor. But should the House find it necessary to send a committee to a distant part of the State to procure information, or to do any act in the process of legislation, and they should proceed on that service, can it be doubted that the Board of Auditors would have the power to indemnify them by repaying their actual expenses? The above specific provisions do not cover such a case, and unless the Board has such a power, the committee would be without remedy. And such a case would not, it is conceived, differ in principle from the one under consideration.

Should it be said that these special provisions in favor of members tend to exclude the idea that it is the intention of the Constitution to allow similar claims to the Judges, I reply that if this specification is to have such an effect in one case it must in another; that it must be applied in all cases where the pay or indemnity of a public officer is not expressly provided for by the Constitution itself, and that the Legislature becomes thus disabled to allow fees to public officers and agents; a consequence at once injurious to the public service, and absurd in itself. So that no such concession from the mere fact that these are special provisions for the compensation of members can be drawn.

On the other hand, the absence of any such special pro-

vision respecting the expenses of the Judges, affords a strong implication that the Constitution intended to leave them among other incidental and unforeseen expenses, to be ascertained and settled by the Board of State Auditors. Indeed, the practice has been, to admit and allow the expenses of the Judges while holding the Supreme Court, for room rent, fuel, stationery, lights, etc., a practice which can be justified only upon the principle here asserted. It is no answer to say that these expenses are allowed by statute, for if the Constitution itself creates a barrier, no statute can remove it, and the allowance is illegal and void.

In further elucidation of the views I have taken, it may be of service to glance at the former Constitution and legislative practice under it. It provides in article 4, section 18, that "the members of the Legislature shall receive for their services a compensation to be ascertained by law, and paid out of the public treasury, but no increase of the salary shall take effect during the term for which the members of either branch shall have been elected, and such compensation shall never exceed three dollars a day.

It seems at least as clear that the word compensation in this clause excludes all indemnity for actual expenses for travel, etc., as that article 9 of the present Constitution excludes similar payments to the Judges, and yet the Legislature under the old Constitution, uniformly allowed the members their mileage, stationery, etc., and their right to do so was never questioned. They even allowed the members from Mackinac and Chippewa ninety dollars each for necessary expenses incurred after the session.

Again, the old Constitution—article 5, section 18—provides that "the Governor shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the time for which he has been elected," yet it is well known that the Legislature in 1837 (L. 1837, page 291) appropriated five hundred dollars from the treasury

for the payment of his house rent, and I am not aware that the mere legality of the appropriation has ever been questioned. Certainly the Treasurer did not hesitate to make payment in either of the cases I have mentioned. To the considerations already presented may be added the fact, of no small weight in itself, that not only have the members of the bar generally throughout the State expressed in their memorials sent to the Board opinions in favor of the legality of those claims, but that all of the Judges of the Supreme Court, and the district Judge of the Upper Peninsula, who, as well as the late lamented Justice Whipple, was a member of the Constitutional Convention of 1850, have united in presenting them, and have thus affirmed their legality. We cannot suppose, for a moment, that these high functionaries, whose duty it is to expound the Constitution and laws, and who may as a court of justice at any time be appealed to by the humblest individual to pass upon the powers of the Board, would thus have sanctioned the principle without a careful consideration of all objections, or without the most sincere and conscientious conviction of their legality and justice.

The attentive consideration which your letter has led me to give to the question, has but strengthened the opinion which from the first I have entertained, that under the Constitution you have full power to audit and allow the claims, and I can see no distinction between those of the Circuit Judges and that of the district Judge of the Upper Peninsula.

I have the honor to be, gentlemen,

Very respectfully, your obd't serv't,

J. M. HOWARD,

*Attorney General.*

The Speaker announced the following communication :

HALL OF REPRESENTATIVES, }  
*Lansing, January 10, 1873.* }

*To the Sergeant-at-Arms of the House :*

SIR—As you are the executive officer of the House, my principal aid, to do its will and to control all its police regulations;

to serve or cause to be served its subpoenas and warrants; to announce the entrance of the Governor, the Senate committees from the Senate; to provide rooms for the committees of the House and to see that such rooms are kept in order; to cause an assistant to attend the principal door of the House, and open and close it for the entry and exit of all persons; to keep the same closed and admit no person during the time of prayer; to see that visitors are seated; to prevent noise or loud talking in the lobby or vestibule; to cause the printed bills, joint resolutions, and other documents of the House to be classified and arranged so that they may be easily obtained when called for; to cause the hall of the House to be kept warmed and open from 7 o'clock A. M. until 10 o'clock P. M. each day; to take charge of the messenger boys and assign to each the place in the House he is to occupy, and the members he is especially to serve; to cause the messenger boys to be in attendance at least one hour before the commencement of the session in each day, and to remain in attendance during the entire sitting of the House, and a sufficient time thereafter to fully complete all work that may be required of them; to see that said messengers arrange in order on the files of each member the journals, bills, and documents as fast as received; that they do not leave the Hall without direction or permission; that they hold themselves in readiness to bring to the Clerk, from the members, any bills and documents that may be presented, and to promptly answer any call, render any assistance, and do all such proper errands as a member may require; that they refrain from all loud talking, laughing, whistling, throwing papers, sliding down the banisters, or playing in the House or committee rooms, and to conduct themselves generally in a quiet or respectful manner towards every member and officer of the House; and I desire you to especially inform them that any one of them failing to conform to such regulations, and conducting himself in an improper manner will be dismissed

and another appointed in his place. As you have charge of your assistants and the firemen, I shall further expect you at once to organize your department with such system that each of your subordinates shall know his precise duties, and discharge them promptly, thoroughly, and courteously.

Yours, very respectfully,

C. M. CROSWELL,  
*Speaker of the House.*

On motion of Mr. Lamb,

The House took a recess until 2 o'clock P. M.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

REPORTS OF STANDING COMMITTEES.

The committee on printing, to whom was referred the following resolutions:

1. *Resolved*, That three thousand copies of the Governors' messages, translated into the German language, one thousand into the Holland, one thousand into the Scandinavian, and one thousand copies into the French languages, be printed for the use of the House;

2. *Resolved*, That one thousand copies of the Governor's message be printed for the use of the House;

To which the following substitute was pending:

*Resolved by the House* (the Senate concurring), That five thousand copies each of the Governors' messages be printed for the use of the Legislature, in the English, two thousand each printed in the German, and two thousand in the French languages;

3. *Resolved by the House of Representatives* (the Senate concurring), That 1,500 copies of the Governors' messages, both



of the retiring and present incumbent, be translated and printed in the Holland language; and that the same be awarded to the publishers of the *Grondwet*, of the city of Holland, to be distributed by them among the Holland people in the counties of Allegan, Ottawa, Kent, and Muskegon, at a cost to be fixed by this Legislature;

4. *Resolved*, That there be 2,000 copies each of the messages of Governor Bagley and ex-Governor Baldwin printed for the use of the members of this House;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor:

*Resolved*, That there be printed of Governor Bagley's and ex-Governor Baldwin's messages, in one pamphlet for the use of the House, 2,000 copies;

Recommending that the substitute be adopted, and ask to be discharged from the further consideration of the subject.

I. A. FANCHER, *Chairman*.

Report accepted and committee discharged.

Mr Hoyt moved that the House concur in the adoption of the substitute reported by the committee.

Mr. Greusel moved to amend the substitute by adding to the same the words "and three thousand in the German, fifteen hundred in the Holland, one thousand in the Scandinavian, and one thousand in the French languages, for the use of the members of the House;"

Which motion did not prevail.

Mr. Noyes moved to lay the report on the table;

Which motion did not prevail.

The question recurring on the adoption of the substitute reported by the committee,

Mr. Bonine demanded the yeas and nays.

The demand was seconded and the substitute was not adopted, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Bailey,  
Bartholomew,  
Bottomley,  
Cady,  
Chamberlain,  
Cobb,  
Collins,  
Drake,  
Eggleston,  
Fancher,

Mr. Garvelink,  
Haywood,  
Hosner,  
Hoyt,  
Kellogg,  
Lamb,  
Lockwood,  
R. C. Miller,  
Mitchell,  
Morse,  
Parsons,

Mr. Robinson,  
Sanderson,  
Shaw,  
Striker,  
Thompson,  
A. Walker,  
F. Walker,  
L. Walker,  
C. W. Watkins,  
Withington,  
Wixson, 33

## NAYS.

Mr. Armstrong,  
Blackman,  
Bonine,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Caplis,  
Carter,  
Chafey,  
Climie,  
Cook,  
Curtis,  
Dinturff,  
Drew,  
Edwards,  
Fey,  
Garfield,  
Gilmore,  
Gordon,

Mr. Grant,  
Green,  
Greusel,  
Haire,  
Hertzler,  
Hewitt,  
Hoar,  
Kipp,  
Knapp,  
Lewis,  
Luce,  
Markey,  
E. R. Miller,  
Noyes,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Rich,  
Ripley,

Mr. Robertson,  
Scott,  
Sessions,  
Simpson,  
Smith,  
Speed,  
Van Aken,  
Van Scoy,  
B. Walker,  
J. Walker,  
Walton,  
Warren,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Zimmerman,  
Speaker. 59

The question recurring on the adoption of the first resolution,

Mr. E. R. Miller offered the following substitute:

*Resolved*, That one thousand copies of the present and retiring Governors' messages be printed in one pamphlet in the English, 500 copies in the German, 500 in the French, and 500 in the Holland languages for the use of this House;

Mr. Ripley moved to lay the resolution and substitute on the table;

Which motion prevailed.

The question recurring on the adoption of the second named resolution and substitute,

On motion of Mr. Sanderson,

They were laid on the table.

The question recurring on the adoption of the third named resolution,

On motion of Mr. Ripley,

It was laid on the table.

The question recurring on the adoption of the fourth named resolution,

On motion of Mr. Fey,

It was laid on the table.

Mr. C. W. Watkins, by unanimous consent, offered the following :

*Resolved*, That a copy of the substitute reported by the committee on printing, with the vote thereon, be sent to Gov. Bagley and Ex-Governor Baldwin, that they may see the appreciation of their respective messages by the members of this House.

On motion of Mr. Goodrich,

The motion was laid on the table.

By the committee on judiciary :

The committee on judiciary, to whom was referred

Senate Bill No. 1, entitled

A bill to amend section 14 of an act entitled, "An act to provide for the organization of the Supreme Court pursuant to section 2 of article 6 of the constitution, approved February 16, 1857, being section 4897 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on private corporations:

The committee on private corporations, to whom was referred

A bill to amend section 3366, being section 12 of chapter 128 of the compiled laws of 1871, relative to the formation of companies for the introduction of water into towns, cities, and villages in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. J. EGGLESTON,

*Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend sections No. 1, 2, and 3, of chapter 163 of the compiled laws of 1871, relative to the sale of lands for the payment of debts by executors, administrators, and guardians,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW,

*Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to define how many hours' labor shall constitute a legal day's work,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee on State affairs, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was referred in accordance with the recommendation of the committee.

By the committee on public lands :

The committee on public lands to whom was referred

Joint resolution requesting our Senators and Representatives in Congress to use their influence to obtain from the United States an appropriation of the government lands to aid in the construction of a railroad from Marquette Harbor, on Lake Superior to the Straits of Sault Ste. Marie and Mackinaw,

Respectfully report that they have had the same under consideration, and have directed me to report that they have fully considered the importance of the railroad connections to be secured, and the benefits to accrue to all parts of the State by the construction of the proposed line of railroad ; that they have examined the articles of incorporation of the Marquette, Sault Ste. Marie and Mackinaw railroad company, now of record in the office of the Secretary of State, and find that the same is in conformity with the act authorizing the incorporation of railroad companies, and that the incorporators of said company as subscribed to the articles of association, are known to a majority of the committee to be enterprising and reliable business men, owning or controlling important mining and manufacturing interests on the Upper Peninsula, and recommend that the joint resolution

as submitted do pass, and ask to be discharged from the further consideration of the subject.

WM. SESSIONS, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

#### NOTICES.

Mr. Wheeler gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to incorporate the village of Pentwater."

Mr. Hoar gave notice that on some future day he would ask leave to introduce

A bill to change the name of Houghton County Copper, Iron, and Tin Manufacturing company.

Mr. O'Dell gave notice that on some future day he would ask leave to introduce

A bill to amend section 10 of chapter 47 of revised statutes of 1846, being chapter 58 of the compiled laws of 1871, relative to sale of stray beasts and disposition of proceeds.

Mr. Wheeler gave notice that on some future day he would ask leave to introduce

A bill to legalize certain bonds heretofore issued by the village of Pentwater, for purchasing land and erecting an engine house thereon.

Mr. Thompson gave notice that on some future day he would ask leave to introduce

A bill to revise and amend an act entitled "An act to incorporate the village of Whitehall," approved March 19th, 1867, as amended by act number three hundred and forty-nine of the session laws of 1869, approved March 26, 1869.

Mr. Ripley, by unanimous consent, offered the following:

*Resolved*, That the letter of instructions from the Speaker to the Sergeant-at-Arms, defining the rights and duties of subordinate officers (subject to the control of the Speaker) be

adopted as the sense of this House and entered upon the Journal;

Which was adopted.

The Speaker announced the following:

The committee on judiciary respectfully report that George P. Voorhees, of White Lake, Oakland county, Michigan, has been employed as their clerk.

H. A. SHAW,  
*Chairman.*

GENERAL ORDER.

On motion of Mr. Chamberlain,

The House went into committee of the whole, on the general order,

Mr. Shaw in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 1, entitled

A bill to amend section 14 of an act entitled "An act to provide for the organization of the Supreme Court, pursuant to section 2 of article 6 of the Constitution," approved February 16, 1857, being section 4897 of the compiled laws of 1871;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

HENRY H. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bonine,

The House concurred in the amendment made to the bill by the committee, and

On motion of Mr. Greusel,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Ripley,
Armstrong,	Gordon,	Robertson,
Bailey,	Grant,	Robinson,
Bartholomew,	Green,	Sanderson,
Blackman,	Greusel,	Scott,
Bonino,	Haire,	Sessions,
Bottomley,	Haywood,	Shaw,
Briggs,	Hertzler,	Simpson,
Brunson,	Hewitt,	Smith,
Buell,	Hoar,	Speed,
Burns,	Hosner,	Thomas,
Cady,	Hoyt,	Thompson,
Caplis,	Kipp,	Van Aken,
Carter,	Knapp,	Van Scoy,
Chafey,	Lamb,	A. Walker,
Chamberlain,	Lewis,	B. Walker,
Climie,	Lockwood,	F. Walker,
Cobb,	Mazkey,	J. Walker,
Collins,	E. R. Miller,	L. Walker,
Cook,	R. C. Miller,	Walton,
Curtis,	Mitchell,	Warren,
Dinturff,	Morse,	C. W. Watkins,
Drake,	Noyes,	E. C. Watkins,
Drew,	O'Dell,	Welch,
Edwards,	Parsons,	Wheeler,
Eggleston,	Perry,	Withington,
Fancher,	Pierce,	Zimmerman,
Fey,	Rich,	Speaker.
Garvelink,		

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## NAYS.

Mr. Garfield,	Mr. Luce,	Mr. Welker,
Goodrich,	Priest,	West,
Kellogg,	Striker,	Wixson,

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Title agreed to.

On motion of Mr. Hoyt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Warren, by unanimous consent, offered the following:

*Resolved*, That when the House adjourn it be until to-mor-



row morning, at 9 o'clock, in order to give some members an opportunity to leave on the 11 o'clock train ;

Which was not adopted.

Mr. Welch moved that when the House adjourn it be until Monday next at 7:30 P. M.

Mr. Lamb demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Cady,  
Caplia,

Mr. Lewis,  
Lockwood,

Mr. L. Walker,  
Welch,

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## NAYS.

Mr. Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Collins,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Eggleston,  
Fancher,  
Fey,  
Garfield,  
Garvelink,  
Gilmore,  
Goodrich,  
Gordon,

Mr. Grant,  
Green,  
Greusel,  
Haire,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pieroe,  
Priest,  
Rich,  
Ripley,

Mr. Robinson,  
Robertson,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thompson,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker.

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On motion of Mr. Wixson,  
The House adjourned.

*Lansing, Saturday, January 11, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Robinson.

Roll called: quorum present.

Absent without leave: Messrs. Dinturff, Edwards, Harris, Howard, A. Walker, and Welch.

Mr. Armstrong asked and obtained leave of absence for Mr. Dinturff until Monday afternoon.

Mr. Hoar asked and obtained leave of absence for Mr. Harris for the day.

Mr. Greusel asked and obtained leave of absence for Mr. Edwards for the day.

Mr. Bottomley asked and obtained leave of absence for Mr. Howard until Tuesday.

Mr. Hertzler asked and obtained leave of absence for Mr. Welch until Tuesday.

#### REPORTS OF STANDING COMMITTEES.

By the committee on railroads:

The committee on railroads, to whom was referred

A bill supplementary to an act entitled "An act to provide for the incorporation of railway companies," approved February 12, 1855,

Are informed that the bill was referred to them by mistake, and have directed me to report the same back to the House, and recommend that it be referred to the judiciary committee, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was referred in accordance with the recommendation of the committee.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend section 17 of chapter 175 of the compiled laws of 1871, regarding juries in the circuit court in civil cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. Walker,

The bill was laid on the table.

#### NOTICES.

Mr. Walton gave notice that on some future day he would ask leave to introduce

A bill to amend section 1027 of chapter 21 of the compiled laws of 1871, being section 61 of an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to provide for the taxation of persons, associations, and corporations doing business in this State in running sleeping and palace cars over and upon the several railroads in this State.

Mr. Gilmore gave notice that on some future day he would ask leave to introduce

A bill to provide the manner and disposition of the estates in dower of insane married women.

Mr. L. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of an act entitled, "An act to provide for the recording of town plats, and for vacating the same in certain cases," approved April 19, 1839, being section 1344, chapter 32, of the compiled laws of 1871.

Mr. Hoar gave notice that on some future day he would ask leave to introduce

A bill to amend section one hundred and fifty-four of the session laws of eighteen hundred and seventy-one, entitled "An act to amend section one, of an act entitled 'An act to authorize proceedings by garnishment at the circuit court of the Upper Peninsula,'" approved March 16, 1861, being section 6465 of the compiled laws of 1871.

Mr. Hoyt gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to facilitate the commencement of suits against joint defendants residing in several counties," the same being section 5748 of the compiled laws of 1871.

#### INTRODUCTION OF BILLS.

Mr. Wheeler, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to incorporate the village of Pentwater by amending certain sections thereof, and adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Speed, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5th, 1857.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Wixson, previous notice having been given and leave being granted, introduced

A joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to procure an amendment to the pension law granting pensions to the surviving soldiers of the war of 1812, so as to entitle all of said soldiers to a pension irrespective of time of service.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Shaw, unanimous consent being given, introduced Joint resolution asking Congress for an appropriation for the survey of the Michigan Ship Canal.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Grant, unanimous consent being given, introduced Joint resolution authorizing the issue of a patent to Parson King, upon school land certificate No. 1883.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

#### MOTIONS AND RESOLUTIONS.

Mr. Garfield offered the following:

*Resolved*, That the compensation of the messenger boys in the House, be two dollars a day and mileage;

Which was adopted.

Mr. Gilmore offered the following:

*Resolved*, That Joseph Grousel, Jr., Wm. Stocking, Henry A. Chaney, E. B. Fairfield, J. B. McCracken and D. C. Henderson, are hereby designated as reporters to this House, and that the Sergeant-at-Arms assign them places on the platform in the rear of the Speaker's desk;

Which was adopted.

Mr. Ripley offered the following:

*Resolved*, That the Sergeant-at-Arms of this House procure twelve copies of the compiled laws of 1871, for the use of the members, to be kept in the hall of the House of Representatives during the session, and to remain the property of the State;

Which was not adopted.

Mr. Blackman offered the following:

*Resolved* (the Senate concurring), That rule number 13 of the joint rules of the Senate and House of Representatives be and the same is hereby amended, so as to read as follows:

“**RULE 13.** Every resolution by which any money or other property of the State shall be donated or appropriated, or by which any expense to the State shall be incurred, or which shall have any operation or effect outside of the two houses of the Legislature, except such appropriations and expenses as shall be for the exclusive use, necessity, or convenience of the Legislature, shall be either a joint or concurrent resolution, and shall take the same course as a bill, and shall be enrolled and presented to the Governor for his signature before the same shall take effect.”

Laid over under the rules.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

UNFINISHED BUSINESS.

Being the consideration of the following :

*Resolved* (the Senate concurring), That we request our Senators in Congress to use all honorable means to secure the concurrence of the Senate in the passage of the Soldiers' and Sailors' Bounty bill, which has recently passed the House.

Mr. Buell moved to amend the resolution by adding thereto the following:

*Resolved*, That the Secretary of State be requested to transmit copies of the foregoing resolution to our Senators, and Representatives in Congress ;

Which motion prevailed.

The resolution, as amended, was then adopted.

MESSAGE FROM THE GOVERNOR.

The Speaker, by unanimous consent, announced the following:

EXECUTIVE OFFICE, }  
Lansing, January 11, 1873. }

*To the House of Representatives :*

I have this day approved, signed, and deposited in the office of the Secretary of State,

Concurrent resolution relative to compiling manual ;

Also,

Concurrent resolution relative to furnishing Journal to clergymen of Lansing ;

Also,

Concurrent resolution relative to purchase of Cushing's Manual and Parliamentary Law.

JOHN J. BAGLEY.

The communication was laid on the table.

GENERAL ORDER.

On motion of Mr. Bartholomew,

The House went into committee of the whole on the general order,

Mr. Grant in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

House bill No. 1, entitled

A bill to amend section 13 of chapter 268 of the compiled laws of 1871 ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have had under consideration the following entitled joint resolution :

House joint resolution No. 1, entitled

Joint resolution asking Congress for an appropriation of United States lands to aid in the construction of the Marquette, Sault Ste. Marie and Mackinaw Railroad, extending from the harbor of Marquette, on Lake Superior, easterly to the Straits of Sault Ste. Marie and Mackinaw,

Have made no amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The House concurred in the amendments made to the bill by the committee, and it was placed on the order of third reading.

The joint resolution was placed on the order of third reading.

Mr. Blackman moved that the House take a recess until 2 o'clock P. M. ;

Which was withdrawn.

Mr. Shaw moved that when the House adjourn it be until 2 P. M., of Monday next ;

Which motion did not prevail.

Mr. E. R. Miller moved that the House take a recess until 2 o'clock this afternoon ;

Which motion did not prevail.

Mr. F. Walker moved that the House adjourn until 7 P. M. of Monday next.

Mr. Lamb demanded the yeas and nays.

The demand was seconded and the motion did not prevail by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,  
Bartholomew,  
Carter,  
Chamberlain,  
Climie,

Drew,  
Eggleston,  
Gordon,  
Haywood,  
Kellogg,

R. O. Miller,  
Mitchell,  
Perry,  
Thomas,  
F. Walker, 15

#### NAYS.

Mr. Armstrong,  
Bailey,  
Blackman,  
Bonine,  
Briggs,  
Bottomley,  
Brunson,  
Buell,  
Cady,  
Chafey,

Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Luce,

Mr. Sessions,  
Shaw,  
Simpson,  
Smith,  
Striker,  
Thompson,  
Van Aken,  
Van Sooy,  
B. Walker,  
J. Walker,



Mr. Collins,	Mr. E. R. Miller,	Mr. L. Walker,
Curtis,	O'Dell,	Warren,
Drake,	Parsons,	C. W. Watkins,
Fancher,	Priest,	E. C. Watkins,
Garfield,	Remer,	Welker,
Garvelink,	Ripley,	West,
Gilmore,	Robertson,	Wheeler,
Goodrich,	Robinson,	Wixson,
Green,	Sanderson,	Speaker,
Haire,	Scott,	59

Mr. Mitchell asked and obtained leave of absence for himself until Tuesday.

Mr. Welker asked and obtained leave of absence for Mr. Brunson until Tuesday.

Mr. Scott asked and obtained leave of absence for Messrs. Speed, Burns, and Pierce until Tuesday.

Mr. E. R. Miller asked and obtained leave of absence for Mr. Cobb until Tuesday.

Mr. Haire asked and obtained leave of absence for Mr. Withington until Monday.

Mr. Sessions asked and obtained leave of absence for Mr. Morse until Tuesday.

Mr. Gordon asked and obtained leave of absence for Messrs. Markey and Greusel until Monday night.

Mr. Buell moved that the House adjourn until 2 P. M. of Monday.

Mr. C. W. Watkins moved to amend by making the hour 7:30 P. M. of Monday.

Mr. Blackman moved that the House adjourn;  
Which motion prevailed.

*Lansing, Monday, January 13, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bangs.

Roll called : quorum present.

Absent without leave : Messrs. Ackley, Caplis, Cobb, Collins, Fey, Green, Harris, Haywood, Kellogg, Knapp, Lewis, Lockwood, R. C. Miller, Noyes, Perry, Rich, Rose, Sessions, Walton, and Warren.

Mr. Fancher asked and obtained leave of absence for Mr. Ackley for the day.

Mr. Gordon asked and obtained leave of absence for Mr. Caplis for the day.

Mr. Withington asked and obtained leave of absence for Mr. Cobb for the day.

Mr. Striker asked and obtained leave of absence for Mr. Collins for the day.

Mr. Cook asked and obtained leave of absence for Mr. Fey for the day.

Mr. Wheeler asked and obtained leave of absence for Mr. Green for the day.

Mr. Buell asked and obtained leave of absence for Mr. Harris for the day.

Mr. Drew asked and obtained leave of absence for Mr. Haywood for the day.

Mr. Priest asked and obtained leave of absence for Mr. Kellogg for the day.

Mr. Remer asked and obtained leave of absence for Mr. Knapp, for the day.

Mr. Hoyt asked and obtained leave of absence for Mr. Lewis, for the day.

Mr. Bonine asked and obtained leave of absence for Mr. Lockwood, for the day.

Mr. Priest asked and obtained leave of absence for Mr. R. C. Miller for the day.

Mr. Cook asked and obtained leave of absence for Mr. Noyes for the day.

Mr. Sanderson asked and obtained leave of absence for Mr. Rich for the day.

Mr. Remer asked and obtained leave of absence for Mr. Perry for the day.

Mr. Goodrich asked and obtained leave of absence for Mr. Rose for the day.

Mr. Drake asked and obtained leave of absence for Mr. Sessions for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Remer: Petition of Hon. Ezra Hazen and 40 others, of St. Clair county, for a law to prevent the adulteration of milk ;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to provide for the approval of the official bonds of county officers by the board of supervisors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads :

The committee on railroads to whom was referred

A bill to amend section 36 of an act to revise the laws providing for the incorporation of railroad companies, being section 2440 of chapter 75 of the compiled laws of 1871, as

amended by act No. 43 of the session laws of 1872, approved March 29, 1872,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### NOTICES.

Mr. Cady gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax roll of the village of Mt. Clemens for the year 1872.

Mr. Garvelink gave notice that on some future day he would ask leave to introduce

A bill to amend section 18 of chapter 26 of the compiled laws of 1871, being "An act relative to laying out, altering and discontinuing highways," approved March 15, 1861;

Also,

A bill to amend section 2 of compiled laws of 1871, of "An act to authorize the several townships of this State to raise money by tax, or to borrow money, to build or repair bridges," approved March 25, 1867, laws of 1867, page 135.

Mr. Bottemley gave notice that on some future day he would ask leave to introduce

A bill to amend section one of an act entitled "An act to provide for laying out and constructing a State ditch or drain in the counties of St. Clair and Sanilac, and making an appropriation of State swamp lands to aid in the construction of the same," approved April 17, 1871.

Mr. Hoyt gave notice that on some future day he would ask leave to introduce

A bill to amend section 50 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, and being section 1016 of the compiled laws of 1871.

Mr. Priest gave notice that on some future day he would ask leave to introduce

A bill to amend section 2 of chapter 4 of the compiled laws of 1871, relative to the legal rate of interest on money.

Mr. Remer gave notice that on some future day he would ask leave to introduce

A bill to prevent the adulteration of milk.

Mr. Bonine gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Niles, and add new sections thereto.

#### INTRODUCTION OF BILLS.

Mr. Haire, previous notice having been given and leave being granted, introduced

A bill to amend section 27 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 18, 1871, being section 2431 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Hoar, previous notice having been given and leave being granted, introduced

A bill to amend section one hundred and fifty-four of the session laws of eighteen hundred and seventy-one, entitled "An act to amend section one of an act entitled 'An act to authorize proceedings by garnishment at the circuit court of the Upper Peninsula,'" approved March 16, 1861, being section 6465 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Hoyt, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to facilitate the commencement of suits against joint defendants residing in several counties," the same being section 5748 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Hoar, previous notice having been given and leave being granted, introduced

A bill to change the name of Houghton County Copper, Iron, and Tin Manufacturing Company.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

#### THIRD READING OF BILLS.

House bill No. 1, entitled

A bill to amend section 13 of chapter 268 of the compiled laws of 1871.

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Eggleston,

The bill was recommitted to the committee on Reform School.

House joint resolution No. 1, entitled

Joint resolution asking Congress for an appropriation of United States lands to aid in the construction of the Marquette, Sault Ste. Marie and Mackinaw Railroad, extending from the harbor of Marquette, on Lake Superior, easterly to the Straits of Sault Ste. Marie and Mackinaw,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Armstrong,  
Bailey,

Gilmore,  
Goodrich,

Smith,  
Striker,

Mr. Bartholomew,	Mr. Hewitt,	Mr. Thompson,
Blackman,	Hoar,	Van Scoy,
Bonine,	Hosner,	A. Walker,
Bottomley,	Kipp,	B. Walker,
Briggs,	Lamb,	F. Walker,
Buell,	Parsons,	L. Walker,
Cady,	Priest,	Welker,
Carter,	Ripley,	Wheeler,
Curtis,	Scott,	Withington,
Drew,	Shaw,	Wixson,
Fancher,	Simpson,	Speaker. 39

## NAYS.

Mr. Chafey,	Haire,	Mr. Sanderson,
Chamberlain,	Hertzler,	Thomas,
Climie,	Hoyt,	Van Aken,
Cook,	Luce,	J. Walker,
Drake,	E. R. Miller,	C. W. Watkins,
Eggleston,	O'Dell,	E. C. Watkins,
Garfield,	Remer,	West,
Garvelink,	Robertson,	Zimmerman,
Gordon,	Robinson,	26

## MOTIONS AND RESOLUTIONS.

Mr. Eggleston offered the following:

*Resolved*, That a special committee be appointed upon taxation, whose duty it shall be to examine the laws of this State providing for levying and collecting taxes, and report to the House at as early a day as possible, a bill including all necessary amendments thereto, and to whom shall be committed all proposed amendments of such laws.

Mr. Remer moved to refer the resolution to the committee on ways and means;

Which motion did not prevail.

The resolution was then adopted.

## UNFINISHED BUSINESS.

Being the consideration of the following:

*Resolved* (the Senate concurring), That rule number 13 of the joint rules of the Senate and House of Representatives be and the same is hereby amended, so as to read as follows:

**"RULE 13.** Every resolution by which any money or other property of the State shall be donated or appropriated, or by which any expense to the State shall be incurred, or which shall have any operation or effect outside of the two houses of the Legislature, except such appropriations and expenses as shall be for the exclusive use, necessity, or convenience of the Legislature, shall be either a joint or concurrent resolution, and shall take the same course as a bill, and shall be enrolled and presented to the Governor for his signature before the same shall take effect.

On motion of Mr. Bartholomew,

The resolution was referred to the committee on rules and joint rules.

**GENERAL ORDER.**

On motion of Mr. Withington,

The House went into committee of the whole on the general order,

Mr. Bartholomew in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 2, entitled

A bill to legalize the assessment roll of the township of Butler, in the county of Branch, for the year 1872;

2. House bill No. 3, entitled

A bill to amend section 3366, being section 12 of chapter 128 of the compiled laws of 1871, relative to the formation of companies for the introduction of water into towns, cities, and villages of the State of Michigan;

3. House bill No. 4, entitled

A bill to amend an act entitled "An act to revise the charter of the village of Wayland," being act number 366 of the session laws of 1869, approved March 30, 1869, as amended by act No. 203, session laws of 1871, approved February 27, 1871;



Have made no amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

I. H. BARTHOLOMEW, *Chairman*.

Report accepted and committee discharged.

The three named bills were placed on the order of third reading.

On motion of Mr. Bonine,

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

PRESENTATION OF PETITIONS.

The Speaker announced the following :

DETROIT, *January 1st, 1873.*

*To the Hon. the Speaker of the House of Representatives of the State of Michigan, at Lansing :*

SIR—At a meeting of the Pioneer Society of the city of Detroit, held Thursday evening, December 19th, 1872, Hon. Bela Hubbard in the chair, the annexed preamble and resolutions were presented and unanimously passed.

I have the honor, in compliance with the resolutions, to forward you a copy.

Very respectfully,

SAMUEL ZUG.

WHEREAS, There are many unpublished papers and documents now known to exist relating to the early history of Michigan and the Northwest, which it is desirable to have collected and preserved in a convenient form, therefore

*Resolved*, That the Governor be requested to recommend, and the legislature be requested to provide by proper enactment

for the collection and publication of a documentary history of this State.

*Resolved*, That the members elect of the legislature from the city and county be requested to use their influence in promoting the object herein expressed.

*Resolved*, That the Secretary be directed to forward a certified copy of the above preamble and resolutions to the present Governor and the Governor elect; to the President of the Senate and the Speaker of the House of Representatives of the next legislature, with the request that they lay them before those bodies.

Attest,

SAMUEL ZUG, *Secretary*.

Referred to the committee on State affairs.

The Speaker also announced the following:

BIG RAPIDS, MICHIGAN, {  
January 7, 1873. }

*To the Speaker of the House of Representatives :*

SIR—At a reunion of the Seventeenth Michigan Infantry, held in Detroit on the 16th of November, 1871, the following resolutions were unanimously adopted :

*“Resolved*, That we, the members of the Seventeenth Michigan Infantry, fully realizing the value of military education to the volunteer soldier, and believing it to be the duty of every loyal State to foster this element of national strength, do hereby respectfully call upon our State Legislature to so amend our militia law as will most effectually encourage the young men of our State to become educated in the elementary principles of warfare.

*“Resolved*, That a copy of the foregoing resolution be transmitted by the secretary of this organization to his Excellency the Governor of Michigan, and one copy to each branch of the Legislature.”

This being the first regular session of the Legislature since

the adoption of the resolutions, they have not been transmitted before.

Very respectfully,

V. W. BRUCE, *Secretary*.

Referred to the committee on military affairs.

By Mr. Speed: Petition of E. H. Stevens relative to the payment of a certain bounty;

Referred to the committee on military affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, by amending section 5 of chapter 8 of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Greusel,

The bill was laid on the table,

#### NOTICES.

Mr. L. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend sections 70, 78, 91, and 93 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being sections 1036, 1044, 1057, and 1059 of chapter 21 of the compiled laws of 1871.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to amend section 31 of chapter 136 of the compiled laws of 1871, entitled "Primary Schools."

Also,

A bill to amend section 19 of chapter 249 of the compiled laws of 1871, entitled "Offenses against the public peace."

Mr. Gilmore gave notice that on some future day he would ask leave to introduce

A joint resolution to authorize the Commissioner of the State Land Office to convey the southwest quarter of the northwest quarter of section number sixteen, in township number eight south, of range number five east, to George W. Blivin, assignee of primary school land certificate number five thousand nine hundred and sixty-one.

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill to amend, of chapter 21 of compiled laws of 1871, sections 54, 67, 70, 71, 73, 74, 75, 77, 78, 79, 80, 81, 82, 84, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 102, 103, 104, 113, 117, 118, 119, 120, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 149, 155, 156, 162, 164, 165, 166, 167, and to repeal sections 83, 96, 105, 106, 107, 108, 109, 110, 111, 112, it being for the purpose of disconnecting our tax system from the Auditor General's office, and to establish what is better known as the county system of taxation.

#### INTRODUCTION OF BILLS.

Mr. F. Walker, previous notice having been given and leave being granted, introduced

A bill to compel railroads, at their crossings, to connect on equitable terms.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. F. Walker, previous notice having been given, and leave being granted, introduced

A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad

companies," approved April 18, 1871, being section 2441, chapter 75, of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on railroads.

### THIRD READING OF BILLS.

House bill No. 2, entitled

A bill to legalize the assessment roll of the township of Butler, in the county of Branch, for the year 1872,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Sessions.
Armstrong,	Goodrich,	Shaw,
Bailey,	Gordon,	Simpson,
Bartholomew,	Green,	Smith,
Blackman,	Greusel,	Speed,
Bonine,	Haire,	Striker,
Bottomley,	Hertzler,	Thomas,
Briggs,	Hewitt,	Thompson,
Buell,	Hoar,	Van Aken,
Burns,	Hosner,	Van Scoy,
Cady,	Hoyt,	A. Walker,
Carter,	Kipp,	B. Walker,
Chafey,	Lamb,	F. Walker,
Chamberlain,	Luce,	J. Walker,
Climie,	E. R. Miller,	L. Walker,
Cook,	O'Dell,	C. W. Watkins,
Curtis,	Parsons,	E. C. Watkins,
Dinturff,	Pierce,	Welker,
Drake,	Priest,	West,
Drew,	Remer,	Wheeler,
Edwards,	Ripley,	Withington,
Fancher,	Robertson,	Wixson,
Fey,	Robinson,	Zimmerman,
Garfield,	Sanderson,	Speaker,
Garvelink,	Scott,	

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#### NAYS.

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Title agreed to.

On motion of Mr. Garfield,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 3, entitled

A bill to amend section 3366, being section 12 of chapter 128 of the compiled laws of 1871, relative to the formation of companies for the introduction of water into towns, cities and villages of the State of Michigan,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Ripley moved to amend the bill by striking out the words "and may issue their obligations therefor;"

Which motion did not prevail.

Mr. Blackman moved to amend the bill by inserting in the second line of section 12, after the word "company," the words "is or shall be ;"

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Garvelink,	Mr. Scott,
Armstrong,	Gilmore,	Sessions,
Bailey,	Goodrich,	Shaw,
Bartholomew,	Gordon,	Simpson,
Bonine,	Green,	Smith,
Bottomley,	Greusel,	Speed,
Briggs,	Hertzler,	Striker,
Buell,	Hewitt,	Thomas,
Burns,	Hoar,	Thompson,
Cady,	Hosner,	A. Walker,
Carter,	Hoyt,	B. Walker,
Chafey,	Kipp,	F. Walker,
Chamberlain,	Lamb,	J. Walker,
Climie,	Luce,	L. Walker,
Cook,	E. R. Miller,	C. W. Watkins,
Curtis,	O'Dell,	E. C. Watkins,
Dinturff,	Parsons,	Welker,
Drake,	Pierce,	West,
Drew,	Priest,	Wheeler,
Edwards,	Remer,	Withington,
Eggleston,	Robertson,	Wixson,
Fancher,	Robinson,	Zimmerman.
Fey,	Sanderson,	Speaker,
Garfield,		

## NAYS.

Mr. Ripley,                      Mr. Van Aken,                      Mr. Van Scoy,                      3

Title agreed to.

On motion of Mr. Goodrich,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 4, entitled

A bill to amend an act entitled "An act to revise the charter of the village of Wayland," being act No. 366 of the session laws of 1869, approved March 30, 1869, as amended by act No. 203, session laws of 1871, approved February 27, 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Sessions,	
Armstrong,	Goodrich,	Shaw,	
Bailey,	Gordon,	Simpson,	
Bartholomew,	Green,	Smith,	
Blackman,	Greusel,	Speed,	
Bonine,	Haire,	Striker,	
Bottomley,	Hertzler,	Thomas,	
Briggs,	Hewitt,	Thompson,	
Buell,	Hoar,	Van Aken,	
Burns,	Hosner,	Van Scoy,	
Cady,	Hoyt,	A. Walker,	
Carter,	Kipp,	B. Walker,	
Chafey,	Lamb,	F. Walker,	
Chamberlain,	Luce,	J. Walker,	
Climie,	E. R. Miller,	L. Walker,	
Cook,	O'Dell,	C. W. Watkins,	
Curtis,	Parsons,	E. C. Watkins,	
Dinturff,	Pierce,	Welker,	
Drake,	Priest,	West,	
Drew,	Remer,	Wheeler,	
Edwards,	Ripley,	Withington,	
Fancher,	Robertson,	Wixson,	
Fey,	Robinson,	Zimmerman,	
Garfield,	Sanderson,	Speaker,	
Garvelink,	Scott,		74

## NAYS.

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Title agreed to.

On motion of Mr. Watkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Lamb announced that Hon. Thomas A. Ferguson member elect from Grand Traverse, etc., was present, and desired to take his seat.

Mr. Ferguson came forward, and took and subscribed the constitutional oath of office and took his seat.

On motion of Mr. J. Walker,

The House adjourned.

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*Lansing, Tuesday, January 14, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Cromack.

Roll called: quorum present.

Absent without leave: Messrs. Bottomley, Eggleston, Harris, Howard, Lewis, Lockwood, Markey, Rose, and A. Walker.

Mr. Shaw asked and obtained leave of absence for Mr. Eggleston for the day.

Mr. Bartholomew asked and obtained leave of absence for Mr. A. Walker for the day.

Mr. West asked and obtained leave of absence for Mr. Lockwood for the day.

Mr. Greusel asked and obtained leave of absence for Mr. Markey for the day.

Mr. Goodrich asked and obtained leave of absence for Mr. Rose for the day.

Mr. Hoyt asked and obtained leave of absence for Mr. Lewis for the day.

Mr. Hoar asked and obtained leave of absence for Mr. Harris for the day.



Mr. Hoar asked and obtained leave of absence for Mr. Bottomley for the day.

PRESENTATION OF PETITIONS.

By Mr. Brunson: Petition of J. W. Taft, John Gilbert, B. M. Shepard, and 214 others, for the amendment of the charter of the village of Ovid;

Referred to the committee on municipal corporations.

By Mr. Shaw: Petition of the supervisors of Eaton county relative to the township drain law;

Referred to the committee on drainage.

By Mr. C. W. Watkins: Petition of A. J. Woodard and 85 others, citizens of Plainwell, Allegan county, for a law that shall give adequate protection for losses occasioned by railroad fires in this State;

Referred to the committee on railroads.

By Mr. E. R. Miller: Petition of John Davis, S. Bogue, J. N. Beeson, and 300 others, relative to fish interests.

The petition was read and ordered printed in the journal, and is as follows:

*To the Honorable the Legislature of the State of Michigan:*

The undersigned, inhabitants of the State of Michigan, beg leave humbly and respectfully to represent to your honorable body:

*First,* That the fish in the various lakes and streams of this State are rapidly decreasing in number and value, because of their destruction, in many instances wanton and useless, consequent upon the lack of suitable provision for their protection and increase.

*Second,* That a like state of things in several other States has led their Legislatures to pass laws prohibiting the destruction of valuable varieties of fish during the spawning season, and by improper means at any time; and to appropriate money for the purpose of stocking their waters with desirable kinds, under the direction of suitable commissioners—and that the Congress of the United States has made a similar appropria-

tion, no part of which has been expended in this State, owing to the lack of co-operating legislation.

*Third,* That the results of this action have been eminently satisfactory, so much so that their operations are extended from year to year; that the practicability and wisdom of such legislation have been completely demonstrated, by the large increase in the product of their fisheries, and the successful introduction of new and valuable varieties; while it is plain that the benefits resulting from such action are only just beginning to be realized.

*Fourth,* That the public waters of this State are capable, under proper regulations, of furnishing a very large supply of many of the finest and most valuable species of fish; and that this supply can be maintained at an expense so trifling as to bear no comparison with the result, by introducing young fry which have been protected by artificial means, during the most critical period of their existence.

*Fifth,* That from the nature of the case, private enterprise cannot undertake this work, for the reason that there are no means of securing to any who might engage in it the fruits of their labor, which would necessarily enure to the general benefit.

For these and many other reasons, we most earnestly and respectfully pray your honorable body to pass such a law as will protect the most valuable varieties of fish during the spawning season, and prevent their wanton destruction; and also to appropriate such a sum as you may deem advisable, to be expended in stocking the public waters of the State with such valuable species of fish as may be suited to thrive therein, under the direction of a suitable commission, to be composed of men who are acquainted with the subject and competent to undertake the work. And your petitioners will ever pray, etc.

Referred to the committee on fisheries.

## REPORTS OF STANDING COMMITTEES.

By the committee on federal relations :

The committee on federal relations to whom was referred

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to procure an amendment to the pension law granting pensions to the surviving soldiers of the war of 1812, so as to entitle all of said soldiers to a pension irrespective of the time of service,

Respectfully report that they have had the same under consideration, and being of the opinion that the subject matter of said resolution having no particular application to the State of Michigan, this House ought not to interfere with the action of the body having exclusive power to legislate upon the subject matter thereof, have directed me to report the same back to the House without recommendation, and ask to be discharged from the further consideration of the subject.

THOMAS C. RIPLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The joint resolution was laid on the table.

By the committee on federal relations :

The committee on federal relations to whom was referred

Joint resolution asking Congress for an appropriation for the survey of the Michigan ship canal,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the joint resolution, when so amended do pass, and ask to be discharged from the further consideration of the subject.

THOMAS C. RIPLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kellogg,

The House concurred in the amendments made to the joint resolution, by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

#### NOTICES.

Mr. Pierce gave notice that on some future day he would ask leave to introduce

A bill to create a board of review in order to examine and correct assessment rolls of supervisors.

Mr. Caplis gave notice that on some future day he would ask leave to introduce

A bill supplementary to the act entitled, "An act to revise the charter of the city of Detroit, approved February 5, 1857," and to abolish citizens' meetings in said city.

Mr. Withington gave notice that on some future day he would ask leave to introduce

A bill to authorize telegraph companies to amend their articles of association.

Mr. Kellogg gave notice that on some future day he would ask leave to introduce

A bill to detach certain territory from the township of Berlin, and attach the same to the township of Easton, in Ionia county.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to amend section 2 of chapter 201 of the compiled laws entitled, "Proceedings against debtors by attachment."

Mr. Welch gave notice that on some future day he would ask leave to introduce

A bill to repeal the second *proviso* of section one of chapter twenty-six of compiled laws of 1871 (page 439), relative to the laying out of highways through orchards.

Mr. L. Walker gave notice that some future day he would ask leave to introduce

A bill to legalize the assessment rolls of the second and third wards of the city of Flint, in the county of Genesee,

State of Michigan, for the year 1870, and to extend the time for the collection of unpaid taxes levied therein.

Mr. Edwards gave notice that on some future day he would ask leave to introduce

A bill to prevent persons from promoting or conducting fights between animals or fowls, and for raising, training, or fitting them for that purpose.

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill requiring all actions hereafter brought in the courts of this State to be brought in the name of the real party in interest.

Mr. Hoar gave notice that on some future day he would ask leave to introduce

A bill to amend section 11 of chapter 58 of the revised statutes of 1846, being section 3592 in chapter 136 of the compiled laws, relating to primary schools.

Mr. Scott gave notice that on some future day he would ask leave to introduce

A bill to repeal the law relative to the office of county drain commissioner for Wayne county.

#### INTRODUCTION OF BILLS.

Mr. Remer, previous notice having been given, and leave being granted, introduced

A bill to prevent and punish the adulteration of milk and the products made therefrom, and to repeal an act entitled "An act to prevent the adulteration of milk and to prevent the traffic in impure and unwholesome milk," approved March 31, 1871.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Walton, previous notice having been given, and leave being granted, introduced

A bill to amend section 1027 of chapter 21 of the compiled laws of 1871, being section 61 of an act to provide for a

uniform assessment of property, and for the collection and return of taxes thereon.

The bill was read a first and second time by its title, and referred to the select committee on taxation.

Mr. Priest, previous notice having been given, and leave being granted, introduced

A bill to amend section 2 of chapter 41 of the compiled laws of 1871, relative to the legal rate of interest on money.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. O'Dell, previous notice having been given, and leave being granted, introduced

A bill to amend section 10 of chapter 47 of the revised statutes of 1846, being section 2022 of chapter 58 of the compiled laws of 1871, relative to the sale of stray beasts and the disposition of proceeds.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. B. Walker, previous notice having been given and leave being granted, introduced

A bill to amend sections 4, 5, 7, 8 and 9, and to repeal sections 6 and 10 of "An act to provide a tax on dogs," which is an act of the session laws of 1865, approved March 16, 1865, which are sections 1181, 1182, 1184, 1185, 1186, of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Cady, previous notice having been given, and leave being granted, introduced

A bill to legalize the tax roll of the village of Mt. Clemens for the year 1872.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Shaw, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to provide for offenses against chastity, morality, and decency," the same being section 19 of chapter 249 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. Greusel offered the following:

*Resolved*, That the Sergeant-at-Arms of this House cause the American flag to be hoisted and kept flying every day during the hours the Legislature is in session, unless precluded by bad weather or violent winds ;

Which was adopted.

Mr. Bartholomew offered the following:

*Resolved*, That — copies of the messages of Ex-Governor Baldwin and Governor Bagley be printed for the use of said Governors Baldwin and Bagley, the State officers, and the officers and members of the Legislature. Also, that — copies of the said messages be printed in the German language, — copies in the Holland language, — and — copies in the French language, to be distributed under the direction of the Clerk of the House to such officers and members as may request them.

On motion of Mr. Speed,

The resolution was referred to the committee of the whole and placed on the general order.

Mr. Hoyt moved to reconsider the vote by which the House refused to pass

House joint resolution No. 1, entitled

Joint resolution asking Congress for an appropriation of United States lands to aid in the construction of the Marquette, Sault Ste. Marie and Mackinaw Railroad, extending from the harbor of Marquette, on Lake Superior, easterly to the Straits of Sault Ste. Marie and Mackinaw.

Mr. J. Walker demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Collins,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Edwards,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Gilmore,  
Goodrich,

Mr. Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,  
Robertson,

Mr. Robinson,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Aken,  
Van Scoy,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

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## NAYS.

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Mr. J. Walker moved to make the consideration of the joint resolution the special order for this evening at 7.30 P. M.

Mr. Chamberlain moved to amend the resolution by making the time Tuesday evening of next week.

Mr. Garfield moved to amend the amendment by making the time 3 P. M. of Friday ;

Which amendment was accepted by common consent.

The motion as amended then prevailed.



Mr. Chamberlain moved to take from the table

A bill to amend section 17 of chapter 175 of the compiled laws of 1871, regarding jurors in civil cases in the circuit court;

Which motion prevailed.

On motion of Mr. Chamberlain,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Ripley offered the following:

*Resolved*, That the Sergeant-at-Arms procure one copy of the compiled laws for the use of this House, to enable the Clerk to read, for the information of members, such parts of said laws as may be necessary, to enable members to understand the merits of amendments thereto before them for action;

Which was not adopted.

Mr Lamb offered the following:

*Resolved*, That the Clerk of this House be and is hereby authorized to procure and furnish each member with a copy of "Farmers' Railroad and Township Map of Michigan ;"

Which was adopted.

Mr. C. W. Watkins offered the following:

*Resolved*, (the Senate concurring), That the State printer be instructed to transmit to each county superintendent of common schools in the State one copy each of the journal of the House and Senate during the present session.

Laid over under the rules.

Mr. Welch offered the following:

*Resolved*, That whenever any member of this House shall give notice of the introduction of a bill, he shall mention the page and volume of the compiled law as well as the chapter and section;

Which was not adopted.

#### GENERAL ORDER.

On motion of Mr. Speed,

The House went into committee of the whole on the general order,

Mr. J. Walker in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

House bill No. 5, entitled

A bill to amend sections numbered 1, 2, and 3 of chapter 163 of the compiled laws of 1871, relative to the sale of lands for the payment of debts by executors, administrators, and guardians,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

J. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shaw,

The House concurred in the amendments made to the bill by the committee, and it was placed on the order of third reading.

On motion of Mr. Hoyt,

The House took a recess until 2 o'clock P. M.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

The Speaker announced the following :

*Hon. D. L. Crossman, Clerk of the House of Representatives :*

SIR: In accordance with concurrent resolution instructing the State Librarian to purchase six copies of Cushing's Parliamentary Law, and thirty-five copies of Cushing's Manual, approved January 11th, I would respectfully notify you that the books were duly ordered and have been received.

Very respectfully,

HARRIET A. TENNEY,

*State Librarian.*

The communication was laid on the table.

GENERAL ORDER.

On motion of Mr. Garfield,

The House went into committee of the whole on the general order,

Mr. Walton in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following resolution :

*Resolved*, That — copies of the messages of ex-Governor Baldwin and Governor Bagley be printed for the use of said Governors Baldwin and Bagley, the State officers, and the officers and members of the Legislature ; also, that — copies of the said messages be printed in the German language, — copies in the Holland language, and — copies in the French language, to be distributed under the direction of the Clerk of the House to such officers and members as may request them,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill :

House bill No. 6, entitled

A bill to amend section 36 of an act to revise the laws providing for the incorporation of railroad companies, being section 2440 of chapter 75 of the compiled laws of 1871, as amended by act No. 43 of the session laws of 1872, approved March 29, 1872,

And have directed their chairman to report the same back to the House, with the recommendation that it be recommitted to the committee on railroads.

JACOB WALTON, *Chairman.*

On motion of Mr. Greusel,

The House concurred in the amendments made to the first named resolution by the committee.

The question being on the adoption of the resolution as amended,

Mr. Ripley demanded the yeas and nays.

The demand was not seconded.

The resolution was then adopted. It is as follows:

*Resolved*, That one thousand copies of the messages of ex-Governor Baldwin and Governor Bagley be printed for the use of said Governors Baldwin and Bagley, the State officers, and the officers and members of the Legislature. Also, that two thousand copies of the said messages be printed in the German language, one thousand five hundred copies in the Holland language, one thousand copies in the French language, to be distributed under the direction of the Clerk of the House, to such officers and members as may request them.

On motion of Mr. Bonine,

The House concurred in the recommendation of the committee relative to the bill named, and it was referred to the committee on railroads.

Mr. Greusel, by unanimous consent, offered the following:

*Resolved*, That the Clerk of this House be authorized to contract with parties, to translate and print the several messages ordered to be printed for the use of the House;

Which was adopted.

Mr. Withington, by unanimous consent, offered the following:

*Resolved*, That it shall be the duty of the Sergeant-at-Arms at the close of the session, to collect the surplus printed bills and deposit the same in the office of the Secretary of State for safe keeping until the session of the next legislature;

Which was adopted.

#### PRESENTATION OF PETITIONS.

By Mr. E. R. Miller: Petition of Frank O. Evans, Stillman.

Jackson, C. W. Jones, and 60 others, asking for an amendment of the railroad laws, so as to give adequate protection against losses by fire.

The following is the memorial:

*To the Hon. Senate and House of Representatives of the State of Michigan.:*

The undersigned respectfully petition your honorable body for the enactment of a law that shall give us the necessary and adequate protection against losses occasioned by railroad fires throughout this State. Your petitioners recognize the right of eminent domain, by which the State authorizes the occupancy and possession of such portions of our property as may be required for railroad purposes, but we fail to see why this special privilege should be supplemented with immunity from liability of losses on contiguous property, originating from the use of such road. Your petitioners are held personally responsible for losses occasioned by fires set on their own premises, which may get beyond their limits, and thus work damage to their neighbors. The Supreme Court of this State holds that under the present law, railroads are not liable for fences, crops, buildings, and other property burned by them, unless it is shown that their machinery was *not* in good order, or was improperly managed. Your petitioners ask a law, making damage resulting from railroad fires *prima facie* evidence of the liability of every such railroad company for all damage resulting therefrom.

Referred to the committee on railroads.

By Mr. West: Petition of J. G. Portman, A. B. Rifford, N. Robins, and 237 others, asking that a law be passed for the protection and propagation of fish in the inland waters of our State;

Referred to the committee on fisheries.

By Mr. Caplis: Petition of C. Mahony, Thos. O. Scott, Patrick Kannay, and 37 others relative to an amendment of the present law in regard to garnishment;

Referred to the committee on judiciary.

By Mr. Burns: Memorial of the board of commissioners of water-works of Detroit asking for the passage of a law authorizing them to raise money by the sale of bonds;

Referred to the committee on municipal corporations.

Mr. Scott, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A bill to provide for the filling of vacancies in the office of auditor of Wayne county.

Mr. Burns, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of water commissioners of the city of Detroit to borrow money for the purpose of extending and improving the water works of said city.

The committee on Reform School, by unanimous consent, made the following report:

The committee on Reform School, to whom was referred  
House bill No. 1,

Being a bill to amend section 13 of chapter 268 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, recommending that the substitute be concurred in, and that the bill, when so substituted do pass, and ask to be discharged from the further consideration of the subject.

WM. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kellogg,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Chamberlain,

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Eggleston asked and obtained leave of absence for himself until Monday next.

Mr. C. W. Watkins asked and obtained leave of absence for himself until Saturday.

On motion of Mr. Bonine,  
The House adjourned.

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*Lansing, Wednesday, January 15, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Fairfield.

Roll called: quorum present.

Absent without leave, Messrs. Chafey, Collins, Fey, Harris, Lockwood, Mitchell, Morse, Priest, Rich, Rose, Thomas, and Warren.

Mr. J. Walker asked and obtained leave of absence for Messrs. Chafey, Morse, Priest, Rich, and Warren for the forenoon.

Mr. Bonine asked and obtained leave of absence for Mr. Lockwood until Monday.

Mr. Ackley asked and obtained leave of absence for Mr. Fey for the day.

Mr. Garvelink asked and obtained leave of absence for Mr. Thomas for the day.

Mr. Sanderson asked and obtained leave of absence for Mr. Mitchell for the day.

Mr. Striker asked and obtained leave of absence for Mr. Collins for the day.

Mr. Goodrich asked and obtained leave of absence for Mr. Rose for the day.

Mr. Buell announced that Hon. Edward Breitung of Marquette was present and desired to take his seat.

Mr. Breitung came forward and took and subscribed the constitutional oath of office, and took his seat.

## PRESENTATION OF PETITIONS.

By E. Zimmerman: Petition of Henry W. Lord, M. E. Crofoot, A. C. Baldwin and 187 others, relative to fish interests;

Referred to the committee on fisheries.

By Mr. Fancher: Petition of J. R. Abbott and 49 others, relative to fish interests;

Referred to the committee on fisheries.

By Mr. Edwards: Petition of Slandart Bro's and 22 others, relative to exemption under garnishment process;

Referred to the committee on judiciary.

By Mr. E. R. Miller: Petition of Mr. P. Barnes, A. A. Bissell, Ira Peake and 17 others, asking for an amendment of the general railroad law so as to protect against losses by fire;

Referred to the committee on railroads.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, January 14, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 4, entitled

A bill to amend section 7559 of the compiled laws of 1871, relative to offenses against property;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker also announced the following:



SENATE CHAMBER, }  
*Lansing, January 14, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 2, entitled

A bill to amend section 127 of chapter 178 of the compiled laws of 1871, being an act relative to courts held by justices of the peace ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

#### NOTICES.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to amend sections 3, 4, 5, 6 and 7 of chapter 180 of the compiled laws of 1871, relative to the appointment of a State reporter ;

Also,

A bill to amend an act entitled “An act to provide for primary schools,” the same being section 31 of chapter 136 of the compiled laws of 1871.

Mr. Brunson gave notice that on some future day he would ask leave to introduce

A joint resolution for the relief of Randolph Strickland.

Mr. Lewis gave notice that on some future day he would ask leave to introduce

A bill to organize the townships of Deep River, Granton, and Pinconning, and reorganize the township of Clayton in Bay county ;

Also,

A bill to amend the railroad law by adding a new section thereto, to stand as section fifty-eight (58).

Mr. Ferguson gave notice that on some future day he would ask leave to introduce

A bill to legalize the assessment roll of the township of Henderson, in Wexford county, for the year A. D. 1872 ;

Also,

A bill to legalize the assessment roll of the township of Cherry Grove, in Wexford county, for the year A. D. 1872 ;

Also,

A bill for the organization of town 26 north, of range 8 west, in Kalkaska county.

Mr. Bonine gave notice that on some future day he would ask leave to introduce

A bill to amend act number 44 of the session laws of 1861, being an act to amend chapter 93 of the revised statutes of 1846, entitled " Of courts held by justices of the peace."

#### INTRODUCTION OF BILLS.

Mr. Wheeler, previous notice having been given and leave being granted, introduced

A bill to legalize certain bonds heretofore issued by the village of Pentwater.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Shaw, previous notice having been given and leave being granted, introduced

A bill to amend section 2 of chapter 201 of the compiled laws of 1871, entitled, " Proceedings against debtors by attachment."

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Bottomley, previous notice having been given and leave being granted, introduced

A bill to amend section one of an act entitled " An act to

provide for laying out and constructing a State ditch or drain in the counties of St. Clair and Sanilac, and making an appropriation of State swamp lands to aid in the construction of the same," approved April 17, 1871.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Caplis, previous notice having been given and leave being granted, introduced

A bill supplementary to the act entitled, "An act to revise the charter of the city of Detroit, approved February 5, 1857," and to abolish citizens' meetings in said city.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Scott, previous notice having been given and leave being granted, introduced

A bill to provide for the filling of vacancies in the office of auditor of Wayne county.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Withington, previous notice having been given and leave being granted, introduced

A bill to authorize telegraph companies to amend their articles of association.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. L. Walker, previous notice having been given and leave being granted, introduced

A bill to legalize the assessment rolls of the second and third wards of the city of Flint, in the county of Genesee, State of Michigan, for the year 1870, and to extend the time for the collection of unpaid taxes levied therein.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Garvelink, previous notice having been given and leave being granted, introduced

A bill to amend section 2 of compiled laws of 1871, of "An act to authorize the several townships of this State to raise money by tax, or to borrow money, to build or repair bridges," approved March 25, 1867, laws of 1867, page 135.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Garvelink, previous notice having been given and leave being granted, introduced

A bill to amend section 18 of chapter 26 of the compiled laws of 1871, being "An act relative to laying out, altering, and discontinuing highways," approved March 15, 1861.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. L. Walker, previous notice having been given and leave being granted, introduced

A bill to amend sections 70, 78, 91, and 93 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being sections 1036, 1044, 1057, and 1059 of chapter 21 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the select committee on taxation.

Mr. Hoar, previous notice having been given and leave being granted, introduced

A bill to amend section 11 of chapter 58 of the revised statutes of 1846, being section 3592 in chapter 136 of the compiled laws, relating to primary schools.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Edwards, previous notice having been given and leave being granted, introduced

A bill to prevent persons from promoting or conducting fights between animals or fowls, and from raising, training, or fitting them for that purpose.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Gilmore, previous notice having been given and leave being granted, introduced

Joint resolution to authorize the Commissioner of the State Land Office to convey the southwest quarter of the northwest quarter of section number 16, in township number eight south, of range number five east, to George W. Blivin, assignee of primary school land certificate number five thousand nine hundred and sixty-one.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Welker, unanimous consent being given, introduced

Joint resolution submitting an amendment to the constitution, authorizing the employment of a chaplain for the State Prison, and religious services in the Legislature.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

#### MOTIONS, RESOLUTIONS, AND NOTICES. ●

Mr. Garfield offered the following :

*Resolved*, That the use of this hall be given to the Northern Michigan Agricultural and Mechanical Society this evening, for the purpose of hearing a lecture by Prof. Beal (of the Agricultural College) ; subject, Grasses. Also, a lecture by Prof. Cook ; subject, Insects ;

Which was adopted.

#### UNFINISHED BUSINESS.

Being the consideration of the following :

*Resolved* (the Senate concurring), That the State printer be instructed to transmit to each county superintendent of common schools in the State one copy each of the journal of the House and Senate during the present session ;

Which was not adopted.

The Speaker announced the appointment of the following as the special committee on taxation ordered by the House : Messrs. Eggleston, Sanderson, West, Lamb, and Hoyt.

Mr. R. C. Miller moved that the House take a recess until 2 o'clock P. M ;

Which motion did not prevail.

On motion of Mr. Shaw,

An invitation was extended to Rev. Mr. Portman, to occupy some time in presenting to the House the subject of fish culture.

Mr. Portman came forward, and in response to the invitation addressed the House at some length ; after which,

On motion of Mr. Bonine,

The House took a recess until 2 P. M.

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#### AFTERNOON SESSION.

2 o'clock P. M.

- The House met and was called to order by the Speaker.  
Roll called : quorum present.

#### PRESENTATION OF PETITIONS.

By Mr. Walton : Petition of L. C. Chase, N. York, C. R. Knowles, and 62 others, asking for the repeal of the law creating county superintendents of schools ;

Referred to the committee on education.

By Mr. Ferguson : Petition of W. H. Leach and 18 others, for the organization of township 26 north, of range 8 west, in Kalkaska county ;

Referred to the committee on towns and counties.

Also, petition of P. Wheeler and 6 others, asking that the assessment roll of the township of Cherry Grove, in Wexford county, be legalized for the year 1872 ;

Also, petition of Thomas S. Henderson and 9 others, asking that the assessment roll of the township of Henderson, in Wexford county, be legalized for the year 1871 ;

Referred to the committee on local taxation.

## REPORTS OF STANDING COMMITTEES.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to provide for filling vacancies in the office of county auditor of Wayne county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Greusel,

The rules were suspended and the bill was placed on the order of third reading.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to amend section 30, chapter 10, being section 496 of the compiled laws of 1871, entitled "Of boards of supervisors,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Speed,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on rules and joint rules :

The committee on rules and joint rules, to whom was referred the following resolution :

*Resolved* (the Senate concurring), That rule number 13 of the joint rules of the Senate and House of Representatives be and the same is hereby amended so as to read as follows:

“**RULE 13.** Every resolution by which any money or other property of the State shall be donated or appropriated, or by which any expense to the State shall be incurred, or which shall have any operation or effect outside of the two houses of the Legislature, except such appropriations and expenses as shall be for the exclusive use, necessity, or convenience of the Legislature, shall be either a joint or concurrent resolution, and shall take the same course as a bill, and shall be enrolled and presented to the Governor for his signature before the same shall take effect ;”

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. D. GILMORE, *Chairman.*

Report accepted and committee discharged.

The question being on the adoption of the resolution,

The resolution was then adopted.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill supplementary to an act entitled “An act to revise the charter of the city of Detroit,” approved February 5, 1857, and to abolish “citizens’ meetings” in said city,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.



## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, January 15, 1872.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 5, entitled,

A bill to provide for the payment of the officers and members of the Legislature;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on ways and means.

## NOTICES.

Mr. Drake gave notice that on some future day he would ask leave to introduce

A bill to change the annual meeting of the St. Peter's Protestant Episcopal Church in the city of Hillsdale, from Wednesday to Monday, in Easter week, and to increase the number of vestrymen of said church, from six to seven.

## INTRODUCTION OF BILLS.

Mr. Shaw, previous notice having been given, and leave being granted, introduced

A bill to amend sections 7, 18, 20, 22, 27, 32, 36, 40, 41, of chapter 21 of compiled laws, entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon, and to add new sections thereto;"

The bill was read a first and second time by its title, and referred to the select committee on taxation.

Mr. Shaw, unanimous consent being given, introduced

A bill to amend an act entitled an act to provide for the appointment of a State Reporter, the same being sections 3, 5, 6, and 7, of chapter 180 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

### THIRD READING OF BILLS.

On motion of Mr. Greusel,

The rule requiring the second and third reading of bills to be on different days was suspended, and the bill, on the order of third reading, was put upon its passage.

House manuscript bill, entitled

A bill to provide for the filling of vacancies in the office of auditor of Wayne county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

### YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robinson,
Armstrong,	Grant,	Rose,
Bailey,	Green,	Sanderson,
Bartholomew,	Greusel,	Scott,
Blackman,	Haire,	Sessions,
Bonine,	Haywood,	Shaw,
Bottomley,	Hertzler,	Simpson,
Breitung,	Hewitt,	Smith,
Briggs,	Hoar,	Speed,
Brunson,	Hosner,	Striker,
Buell,	Howard,	Thompson,
Burns,	Hoyt,	Van Aken,
Cady,	Kellogg,	Van Scoy,
Caplis,	Kipp,	A. Walker,
Carter,	Knapp,	B. Walker,
Chamberlain,	Lamb,	F. Walker,
Climie,	Lewis,	J. Walker,
Cobb,	Luce,	L. Walker,
Cook,	Markey,	Walton,
Curtis,	E. R. Miller,	Warren,
Dinturff,	R. C. Miller,	E. C. Watkins,
Drake,	Morse,	Welch,
Drew,	Noyes,	Welker,

Edwards,  
Fancher,  
Ferguson,  
Garfield,  
Garvelink,  
Gilmore,  
Goodrich,

O'Dell,  
Parsons,  
Perry,  
Pierce,  
Remer,  
Ripley,  
Robertson,

West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker.

89

NAYS.

0

Title agreed to.

On motion of Mr. Greusel,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. Bonine offered the following :

WHEREAS, On the 7th inst., a concurrent resolution authorizing the putting in of gas in the capitol building, State offices, State Library, and Supreme Court room, was adopted by this Legislature, thereby rendering useless all the chandeliers, lamps and other appliances heretofore used for lighting these buildings ; therefore

*Resolved* (the Senate concurring), That Auditor General Wm. Humphrey, is hereby directed to take charge of all the chandeliers, lamps, and other lighting apparatus rendered useless by the introduction of gas, and to sell the same to the best advantage possible, and place the proceeds of such sale in the hands of the State Treasurer to the credit of the general fund ;

Laid over under the rules.

Mr. J. Walker offered the following :

*Resolved* (the Senate concurring), That when the Legislature adjourns on Friday, the 17th inst., such adjournment be until Tuesday, the 28th day of January, to afford the committees appointed to visit the State Institutions time to discharge said duties.

Laid over under the rules.

## GENERAL ORDER.

On motion of Mr. Hoyt,

The House went into committee of the whole on the general order,

Mr. Lamb in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

House bill No. 7, entitled,

A bill to provide for the approval of the official bonds of county officers by the board of supervisors,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

House bill No. 8, entitled,

A bill to amend section seventeen of chapter one hundred and seventy-five of the compiled laws of 1871, regarding juries in civil cases in the circuit court,

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled joint resolution:

House joint resolution No. 2, entitled

Joint resolution asking Congress for an appropriation for the survey of the Michigan ship canal,

Have directed their chairman to report the same back to the House, with the recommendation that it be made the special order for Friday next at three P. M.

J. C. LAMB, *Chairman.*

On motion of Mr. Kellogg,

The House concurred in the amendments made to the first named bill by the committee, and it was placed on the order of third reading.

On motion of Mr. Bonine,

The House concurred in the action of the committee in striking out all after the enacting clause of the second named bill, and,

On motion of Mr. Bonine,

The title was laid on the table.

On motion of Mr. Shaw,

The House concurred in the recommendation of the committee relative to the joint resolution, and it was made the special order for Friday next at 3 P. M.

The committee on ways and means, by unanimous consent, reported as follows:

The committee on ways and means, who were instructed by a resolution of this House to report the amount of mileage due to each of the officers and members of the present Legislature, have had the subject under consideration, and do hereby report the amount due, as aforesaid, to each of such officers and members as set forth in the following list of the same:

	MILES.
Mr. Ackley.....	104
Armstrong.....	288
Bailey.....	82
Blackman.....	252
Bonine.....	308
Bottomley.....	394
Breitung.....	1,668
Briggs.....	226
Brunson.....	50
Buell.....	1,390
Burns.....	164
Cady.....	224
Caplis.....	164
Carter.....	104

	MILES.
Mr. Chafey .....	506
Chamberlain .....	348
Climie .....	194
Cobb .....	214
Collins .....	230
Cook .....	188
Croswell .....	168
Curtis .....	168
Dinturff .....	54
Drake .....	184
Drew .....	88
Edwards .....	164
Eggleston .....	224
Fancher .....	262
Ferguson .....	438
Fey .....	136
Garfield .....	232
Garvelink .....	308
Gilmore .....	176
Goodrich .....	112
Gordon .....	234
Grant .....	154
Green .....	500
Greusel .....	164
Haire .....	286
Harris .....	2,042
Haywood .....	450
Hertzler .....	272
Hewitt .....	142
Hoar .....	1,818
Hosner .....	434
Howard .....	318
Hoyt .....	200
Kellogg .....	110
Kipp .....	228

	MILES.
Mr. Knapp.....	108
Lamb.....	398
Lewis.....	164
Lockwood.....	460
Luce.....	150
Markey.....	176
E. R. Miller.....	234
R. C. Miller.....	114
Mitchell.....	142
Morse.....	166
Noyes.....	122
O'Dell.....	244
Parsons.....	204
Perry.....	236
Pierce.....	156
Priest.....	292
Remer.....	364
Rich.....	310
Ripley.....	142
Robinson.....	152
Robertson.....	298
Rose.....	336
Sanderson.....	190
Scott.....	130
Sessions.....	78
Shaw.....	88
Simpson.....	302
Smith.....	184
Speed.....	164
Striker.....	170
Thomas.....	264
Thompson.....	338
Van Aken.....	178
Van Scoy.....	130
A. Walker.....	50

	MILES.
Mr. B. Walker.....	62
F. Walker.....	236
J. Walker.....	230
L. Walker.....	222
Walton.....	180
Warren.....	68
C. W. Watkins.....	194
E. C. Watkins.....	240
Welch.....	272
Welker.....	194
West.....	352
Wheeler.....	336
Withington.....	78
Wixson.....	346
Zimmerman.....	226
D. L. Crossman, Clerk.....	28
S. F. Cook, Assistant Clerk.....	154
W. H. Marston, Engrossing Clerk.....	308
S. M. Miller, Assistant Engrossing Clerk.....	224
E. N. Fitch, Sergeant-at-Arms.....	194
H. A. Norton, Assistant Sergeant-at-Arms.....	226

And ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grant,

The House adjourned.



*Lansing, Thursday, January 16, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Glover.

Roll called: quorum present.

Absent without leave: Messrs. Collins, Knapp, and Thompson.

Mr. Ripley asked and obtained leave of absence for Mr. Collins for the day.

Mr. Zimmerman asked and obtained leave of absence for Mr. Knapp indefinitely, on account of sickness.

Mr. Bartholomew asked and obtained leave of absence for Mr. Thompson until Thursday next.

#### PRESENTATION OF PETITIONS.

By Mr. Scott: Petition of J. M. Swift, A. M. Randolph, and 118 others, asking for the repeal of the charter of the Plymouth Plank Road Company ;

Referred to the committee on the judiciary.

By Mr. Scott: Petition of J. W. Voorheis and 30 others, asking for the repeal of the charter of the Plymouth Plank Road Company ;

Referred to the committee on judiciary.

By Mr. Lewis: Petition of F. Sievers and 79 others, asking that certain territory be detached from Saginaw county and attached to Bay county ;

Referred to the committee on towns and counties.

By Mr. Simpson: Petition of Robert Baker, A. G. Eastman, and 65 others, relative to the protection of fish, and the appointment of a commission with an appropriation ;

Referred to the committee on fisheries.

By Mr. Welker: Petition of Rev. B. P. Russell, A. Clapp, and 61 others, relative the protection of fish, and the appointment of a commission with an appropriation ;

Referred to the committee on fisheries.

By Mr. Mitchell: Petition of J. A. Bigelow, Rev. G. H. Mitchell, and 135 others, relative to the protection of fish, and the appointment of a commission with an appropriation ;

Referred to the committee on fisheries.

By Mr. Morse : Petition of James Paddock and 40 others, asking for the re-incorporation of the village of St. Louis ;

Referred to the committee on municipal corporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on agriculture :

The committee on agriculture, to whom was referred

A bill to amend section 10 of chapter 47 of the revised statutes of 1846, being section 2022 of chapter 58 of the compiled laws of 1871, relating to sale of stray beasts and disposition of proceeds,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JACOB WALTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred

Joint resolution to authorize the Commissioner of the State Land Office, or the proper officer, to convey the southwest quarter of the northwest quarter of section number sixteen, in township number eight south, of range number five west, to George W. Blivin, assignee of primary school land certificate number five thousand nine hundred and sixty-one,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be referred to the

committee on public lands, and ask to be discharged from the further consideration of the subject.

LEVI WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Gilmore,

The joint resolution was referred in accordance with the recommendation of the committee.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend an act entitled "An act to provide for the appointment of a State reporter,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

Senate bill No. 4, entitled,

A bill to amend section 7539 of the compiled laws of 1871, relative to offenses against property,

Respectfully report that they have had the same under consideration, and report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend an act entitled "An act to provide for offenses against chastity, morality, and decency,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, by adding two new sections thereto ;

Also,

A bill to repeal section 124 of act number 169 of the session laws of 1869, being an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, 1869, and being section 1090 in chapter 21 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be referred to the special committee on taxation.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

Mr. C. W. Watkins moved that the bills be re-referred to the committee on ways and means, and that the special committee on taxation be relieved of any further consideration of this subject ;

Which motion prevailed, and the bills were referred in accordance therewith.

Mr. Shaw moved that the special committee on taxation be relieved from the further consideration of the several bills in their hands, and that that committee be directed to report the same back to the House to be then referred to the committee on ways and means ;

Which motion prevailed.

#### NOTICES.

Mr. Welker gave notice that on some future day he would ask leave to introduce

A joint resolution proposing an amendment to the constitution relative to the Governor's salary.

Mr. Walton gave notice that on some future day he would ask leave to introduce

A bill to require owners of stallions, kept for breeding purposes, to file a certificate of pedigree with the county clerk, for the county or counties in which said stallion is kept.

Mr. Sessions gave notice that on some future day he would ask leave to introduce

A joint resolution to amend section one (1), article eleven (11), of the Constitution of this State, relative to the time of electing township officers.

Mr. Thomas gave notice that on some future day he would ask leave to introduce

A bill to provide for the protection of fish in the lakes of Allegan county.

Mr. Lewis gave notice that on some future day he would ask leave to introduce

A bill to detach the following territory from Saginaw county, and attach the same to Bay county, viz : sections 1, 2, 3, 4, 5, 6, 11, 12 and 13, in town 13 north, of range 4 east ; also, sections 6, 7, 17 and 18, and fractional sections 5, 8 and 16, in town 13 north, of range 5 east.

Mr. E. R. Miller gave notice that some future day he would ask leave to introduce

A bill to enact a law authorizing the appointment of commissioners of fisheries, and make an appropriation therefor.

Mr. Caplis gave notice that on some future day he would ask leave to introduce

A bill to amend section 4256 of the compiled laws of 1871, being an act to confirm the record of letters of attorney in certain cases.

Mr. Haywood gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax roll of the township of Rubicon in the county of Huron, for the year 1872, and to extend the time for collection of the taxes therein.

#### INTRODUCTION OF BILLS.

Mr. Ferguson, previous notice having been given and leave being granted, introduced

A bill to legalize the assessment roll of the township of Cherry Grove, in Wexford county, for the year A. D. 1872.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Ferguson, previous notice having been given and leave being granted, introduced

A bill to legalize the assessment roll of the township of Henderson, in Wexford county, for the year A. D. 1872.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Bonine, previous notice having been given and leave being granted, introduced

A bill to amend act number 44 of the session laws of 1861, being an act to amend chapter 93 of the revised statutes of 1846, entitled "Of courts held by justices of the peace."

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Brunson, previous notice having been given and leave being granted, introduced

A joint resolution for the relief of Randolph Strickland.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Drake, previous notice having been given, and leave being granted, introduced

A bill to change the annual meeting of the St. Peter's Protestant Episcopal Church in the city of Hillsdale, from Wednesday to Monday, in Easter week, and to increase the number of vestrymen of said church, from six to seven.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Lewis, previous notice having been given, and leave being granted, introduced

A bill to organize the townships of Deep River, Granton, and Pinconning, and reorganize the township of Clayton in Bay county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Lewis, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 18, 1871, by adding a new section thereto, to stand as section fifty-eight of said act.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Morse, previous notice having been given and leave being granted, introduced

A bill to re-incorporate the village of Saint Louis.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Shaw, unanimous consent being given, introduced

A bill to amend an act entitled "An act to provide for primary schools," the same being section 31 of chapter 136 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

## THIRD READING OF BILLS.

House bill No. 5, entitled

A bill to amend sections numbered 1, 2, and 3 of chapter 163, of the compiled laws of 1871, relative to the sale of lands for the payment of debts by executors, administrators, and guardians ;

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Welker moved that the House take a recess until 2 o'clock, P. M. ;

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Armstrong,	Mr. Gilmore,	Mr. Robertson,
Bailey,	Gordon,	Rose,
Bartholomew,	Green,	Scott,
Blackman,	Greusel,	Sessions,
Bonine,	Haire,	Shaw,
Bottomley,	Haywood,	Simpson,
Brunson,	Hertzler,	Speed,
Burns,	Hoar,	Van Scoy,
Cady,	Hosner,	A. Walker,
Caplis,	Lewis,	B. Walker,
Carter,	Luce,	F. Walker,
Chafey,	Markey,	J. Walker,
Chamberlain,	E. R. Miller,	Warren,
Climie,	Mitchell,	C. W. Watkins,
Cobb,	Morse,	E. C. Watkins,
Dinturff,	O'Dell,	Welch,
Edwards,	Parsons,	Wheeler,
Fancher,	Perry,	Withington,
Ferguson,	Pierce,	Zimmerman,
Garfield,	Remer,	Speaker, 62
Garvelink,	Rich,	

## NAYS.

Mr. Ackley,	Mr. Harris,	Mr. Robinson,
Breitung,	Hewitt,	Sanderson,
Briggs,	Howard,	Smith,
Buell,	Hoyt,	Striker,
Cook,	Kellogg,	Thomas,



Mr. Curtis,	Mr. Kipp,	Mr. Van Aken,	
Drake,	Lamb,	L. Walker,	
Drew,	R. C. Miller,	Walton,	
Fey,	Noyes,	Welker,	
Goodrich,	Priest,	Wixson,	32
Grant,	Ripley,		

The question being on agreeing to the title,

On motion of Mr. Speed,

The title was amended by inserting after the figures "1871" the words, "the same being sections 4545, 4546, and 4547, of said compiled laws of 1871."

The title, as amended, was then agreed to.

On motion of Mr. Warren,

The House took a recess until 2 o'clock this afternoon.

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#### AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

Mr. E. R. Miller, unanimous consent being given, introduced

A bill to establish a board of commissioners for fisheries, and to make an appropriation therefor.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

The Speaker, unanimous consent being given, announced the following:

SENATE CHAMBER, }  
Lansing, January 16, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to provide for filling vacancies in the office of auditor of Wayne county;

## 2. House bill No. 2, entitled

A bill to legalize the assessment roll of the township of Butler, in the county of Branch, for the year eighteen hundred and seventy-two;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bills were referred to the committee on engrossment and enrollment, for enrollment.

## THIRD READING OF BILLS, RESUMED.

## House bill No. 7, entitled

A bill to provide for the approval of the official bonds of county officers by the board of supervisors,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Chamberlain,  
Olimie,  
Cobb,

Mr. Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Lamb,  
Lewis,  
Luce,  
Markey,

Mr. Rich,  
Ripley,  
Robertson,  
Robinson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
A. Walker,  
F. Walker,  
J. Walker,

Mr. Curtis,	Mr. E. R. Miller,	Mr. L. Walker,	
Dinturff,	R. O. Miller,	Walton,	
Drew,	Mitchell,	Warren,	
Edwards,	Morse,	C. W. Watkins,	
Fancher,	Noyes,	E. C. Watkins,	
Ferguson,	O'Dell,	Welch,	
Fey,	Parsons,	Welker,	
Garfield,	Perry,	Wheeler,	
Garvelink,	Pierce,	Wixson,	
Gilmore,	Priest,	Zimmerman,	
Goodrich,	Remer,	Speaker,	90
	NAYS.		

Mr. Cook, 1

#### MOTIONS AND RESOLUTIONS.

Mr. Briggs offered the following:

*Resolved*, That the use of this hall be given to the "Northern Michigan Agricultural and Mechanical Society" this evening, for the purpose of hearing a lecture by Prof. Miles (of the Agricultural College). Subject: Stock Breeding;

Which was adopted.

#### UNFINISHED BUSINESS.

Being the consideration of the following:

WHEREAS, On the 7th inst., a concurrent resolution authorizing the putting in of gas in the capitol building, State offices, State Library, and Supreme Court room, was adopted by this Legislature, thereby rendering useless all the chandeliers, lamps, and other appliances heretofore used for lighting these buildings; therefore

*Resolved* (the Senate concurring), that Auditor General Wm. Humphrey is hereby directed to take charge of all the chandeliers, lamps, and other lighting apparatus rendered useless by the introduction of gas, and to sell the same to the best advantage possible, and place the proceeds of such sale in the hands of the State Treasurer to the credit of the general fund;

Which was adopted.

Also the following:

*Resolved* (the Senate concurring), That when the Legisla-

ture adjourns on Friday, the 17th inst., such adjournment be until Tuesday, the 28th day of January, to afford the committees appointed to visit the State institutions time to discharge said duties.

The question being on the adoption of the resolution,

Mr. Greusel demanded the yeas and nays.

The demand was seconded, and, pending the taking of the vote thereon,

Mr. Goodrich offered the following substitute therefor :

*Resolved* (the Senate concurring), That when the Legislature adjourn on Friday, the 24th inst., such adjournment be until Tuesday, the 4th day of February, to afford the committees appointed to visit the State institutions time to discharge said duties ;

Which was adopted.

The resolution, as amended by the substitute, was then not adopted, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Cady,  
Caplis,  
Chafey,  
Cobb,  
Curtis,  
Drake,  
Drew,  
Ferguson,

Mr. Goodrich,  
Gordon,  
Green,  
Greusel,  
Haywood,  
Kellogg,  
Kipp,  
Lamb,  
Lewis,  
Markey,  
R. C. Miller,  
Morse,  
Parsons,  
Perry,  
Pierce,

Mr. Priest,  
Remer,  
Rich,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
L. Walker,  
Walton,  
Warren,  
Welch,  
Wixson,  
Zimmerman,  
Speaker,

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#### NAYS.

Mr. Bartholomew,  
Blackman,  
Bonine,  
Buell,  
Burns,

Mr. Haire,  
Harris,  
Hertzler,  
Hewitt,  
Hoar,

Mr. Rose,  
Simpson,  
Smith,  
Speed,  
Striker,

Mr. Carter,	Mr. Hosner,	Mr. Thomas,
Chamberlain,	Howard,	Van Aken,
Climie,	Hoyt,	Van Scoy,
Cook,	Luce,	A. Walker,
Dinturff,	E. R. Miller,	F. Walker,
Edwards,	Mitchell,	J. Walker,
Fancher,	Noyes,	C. W. Watkins,
Fey,	O'Dell,	E. C. Watkins,
Garfield,	Ripley,	Welker,
Garvelink,	Robertson,	Wheeler,
Gilmore,	Robinson,	Withington,
Grant,		49

## GENERAL ORDER.

On motion of Mr. J. Walker,

The House went into committee of the whole on the general order,

Mr. C. W. Watkins in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 10, entitled

A bill to amend section 30, chapter 10, being section 496 of the compiled laws of 1871, entitled "Boards of Supervisors;"

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

2. Senate bill No. 4, entitled

A bill to amend section seven thousand five hundred and fifty-nine of the compiled laws of eighteen hundred and seventy-one;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

C. W. WATKINS, *Chairman*.

Report accepted and committee discharged.

The second named bill was placed on the order of third reading.

On motion of Mr. Greusel,

The House concurred in the amendments made to the first named bill by the committee, and it was placed on the order of third reading.

The committee on ways and means, by unanimous consent, reported as follows:

The committee on ways and means, to whom was referred Senate bill No. 5, entitled

A bill to provide for the payment of the officers and members of the Legislature,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

Mr. Greusel moved that the House concur in the amendment made to the bill by the committee.

Mr. J. Walker demanded the yeas and nays.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Fey,	Mr. Shaw,
Bailey,	Gilmore,	Simpson,
Bartholomew,	Goodrich,	Smith,
Blackman,	Gordon,	Speed,
Bonine,	Green,	Striker,
Bottomley,	Greusel,	Van Scoy,
Brunson,	Haire,	A. Walker,
Burns,	Haywood,	F. Walker,
Cady,	Hoyt,	L. Walker,
Caplis,	Lewis,	Walton,
Cobb,	Mitchell,	Welker,
Cook,	Noyes,	Withington,
Edwards,	Remer,	Speaker,
Fancher,	Scott,	

## NAYS.

Mr. Armstrong,	Mr. Hosner,	Mr. Rich,
Briggs,	Howard,	Ripley,
Carter,	Kellogg,	Robertson,
Chafey,	Kipp,	Rose,
Climie,	Lamb,	Sanderson,
Curtis,	Luce,	Sessions,
Dinturff,	Markey,	Thomas,
Drake,	E. R. Miller,	Van Aken,
Drew,	R. C. Miller,	J. Walker,
Ferguson,	Morse,	Warren,
Garfield,	O'Dell,	C. W. Watkins,
Garvelink,	Parsons,	E. C. Watkins,
Grant,	Perry,	Wheeler,
Hertzler,	Pieroe,	Wixson,
Hewitt,	Priest,	Zimmerman, 44

Pending the announcement of the vote,

Mr. Burns moved that Mr. Hoar be excused from voting ;

Which motion prevailed.

Pending the announcement of the vote,

Mr. Bonine moved that Mr. Harris be excused from voting ;

Which motion prevailed.

Pending the announcement of the vote,

Mr. Greusel moved that Mr. Breitung be excused from voting

Which motion prevailed.

Pending the announcement of the vote,

Mr. Chamberlain moved that Mr. Buell be excused from voting ;

Which motion prevailed.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following concurrent resolutions and bills :

1. Concurrent resolution relative to compiling the manual ;
2. Concurrent resolution relative to furnishing journal to clergymen of Lansing ;

3. Concurrent resolution relative to purchase of Cushing's manual and parliamentary law ;

4. House bill No. 2, entitled

A bill to legalize the assessment roll of the township of Butler, in the county of Branch, for the year 1872 ;

5. House manuscript bill, entitled

A bill to provide for the filling vacancies in the office of auditor of Wayne county.

S. H. BLACKMAN, *Chairman.*

Report accepted and committee discharged.

By the special committee on taxation :

By unanimous consent, the special committee on taxation, to whom were referred

A bill to amend section 1027 of chapter 21 of the compiled laws of 1871, being section 61 of an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon ;

Also,

A bill to amend sections 70, 78, 91, and 93 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being sections 1036, 1044, 1057, and 1059 of the compiled laws of 1871 ;

Also,

A bill to amend sections 7, 18, 20, 22, 27, 32, 36, 40 and 41 of chapter 21 of the compiled laws of 1871, the same being an act to provide for the uniform assessment of property, and the collection and return of taxes thereon, and to add a new section thereto ;

Respectfully report the same back to the House, in accordance with a resolution of the House, releasing them from the further consideration of the same.

R. SANDERSON, *Acting Chairman.*

Report accepted and committee discharged.



The several bills were referred to the committee on ways and means.

Mr. Cady asked and obtained leave of absence for himself until Wednesday next.

Mr. Drake asked and obtained leave of absence for himself until Tuesday next.

On motion of Mr. Withington,  
The House adjourned.

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*Lansing, Friday, January 17, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Wood.

Roll called: quorum present.

Absent without leave: Mr. Rose.

Mr. Climie asked and obtained leave of absence for himself until Tuesday next.

Mr. Goodrich asked and obtained leave of absence for himself until Tuesday next.

Mr. E. R. Miller asked and obtained leave of absence for himself until Tuesday next.

Mr. Van Scoy asked and obtained leave of absence for himself until Tuesday next.

Mr. E. C. Watkins asked and obtained leave of absence for Mr. Rose for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Grant: Communication from the Regents of the University, extending an invitation to the Legislature to visit that institution. It is as follows:

*Ann Arbor, January 14, 1873.*

*To the Honorable the Senate and the House of Representatives of Michigan :*

I have the honor to communicate to you the following resolution which was adopted by the Regents of the University of Michigan at their last meeting, held on December 30, 1872 :

*“Resolved, That the members of the Legislature of this State be requested to visit the University during the present session of that body, and examine the new University building, and investigate the expenditure of the money voted by the last Legislature for that purpose, and also to examine the University in all its departments.”*

In behalf of the Regents and the Faculties, I am happy to say that we shall be glad to receive you at any time you may see fit to honor us with a visit.

Yours very respectfully,

JAMES B. ANGELL, *President.*

Referred to the committee on University and State Normal School.

By Mr. Bottomley: Petition of the board of supervisors of St. Clair county, for the passage of an act for the relief of Henry Johr ;

Referred to the committee on judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on fisheries:

The committee on fisheries to whom was referred

A bill to establish a board of commissioners for fisheries and to make an appropriation therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wixson,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations to whom was referred

A bill to legalize the tax roll of the village of Mt. Clemens for the year 1872,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to legalize certain bonds heretofore issued by the village of Pentwater,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads :

The committee on railroads, to whom was referred a bill entitled

A bill to amend section 27 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 18, 1871, being section 2431, chapter 75, of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Joint resolution submitting an amendment to the Constitution, authorizing the employment of a chaplain for the State Prison, and religious services in the Legislature,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment and without recommendation, and ask to be discharged from the further consideration on the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. Walker,

The joint resolution was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to provide a tax upon dogs;

And also,

A bill to amend sections 4, 5, 7, 8 and 9, and to repeal sections 6 and 10 of "An act to provide a tax on dogs," which is an

act of the session laws of 1865, approved March 16, 1865, which are sections 1181, 1182, 1184, 1185, 1186, of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, without recommendation, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kellogg,

The House concurred in the adoption of the substitute reported by the committee.

The substitute was then ordered printed, referred to the committee of the whole, and placed on the general order.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency in writing.

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
*Lansing, January 16, 1873.* }

*To the House of Representatives :*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to provide for filling vacancies in the office of county Auditors of Wayne county.

JOHN J. BAGLEY.

The communication was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
*Lansing, January 16, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 8, entitled

A bill to amend section sixty-one of 'an act entitled "An act to provide for a uniform assessment of property, and for the the collection and return of taxes thereon," approved, April 6, 1869, being section 1027 of the compiled laws of 1871,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, January 16, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 7, entitled

A bill to amend section 28 of chapter 267, being section 8074 of the compiled laws of 1871, relating to the State prison and the government and discipline thereof,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on State Prison.

#### NOTICES.

Mr. Remer gave notice that on some future day he would ask leave to introduce

A bill for the relief of St. Clair county, and for other purposes.

Mr. Armstrong gave notice that on some future day he would ask leave to introduce

A bill to legalize the tax-roll of the township of Dayton, in Newaygo county, for the year 1872, and extend the time for the collection of taxes thereon.

Mr. Noyes gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl."

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill to amend section 37 of chapter 75, being section 2441 of compiled laws of 1871, being an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon.

Mr. Priest gave notice that on some future day he would ask leave to introduce

A bill relative to jurors.

#### INTRODUCTION OF BILLS.

Mr. Caplis, previous notice having been given and leave being granted, introduced

A bill to amend section 4256 of the compiled laws of 1871, being an act to confirm the record of letters of attorney in certain cases.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Lewis, previous notice having been given and leave being granted, introduced

A bill to detach the following territory from Saginaw county, and attach the same to Bay county, viz: sections 1, 2, 3, 4, 5, 6, 11, 12, and 13, in town 13 north, of range 4 east;

also, sections 6, 7, 17, and 18, and fractional sections 5, 8, and 16, in town 13 north, of range 5 east.

The bill was read a first and second time by its title and referred to the committee on towns and counties.

Mr. Welker, unanimous consent been given, introduced

A bill to equalize and pay State bounties and make the necessary appropriations therefor.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Walton, previous notice having been given and leave being granted, introduced

A bill to require owners of stallions kept for breeding purposes to file a certificate of pedigree with the county clerk, for the county or counties in which said stallion is kept.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Haywood, previous notice having been given and leave being granted, introduced

A bill to legalize the tax roll of the township of Rubicon in the county of Huron, for the year 1872, and to extend the time for collection of the taxes therein.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Haywood, previous notice having been given and leave being granted, introduced

A bill to organize the township of Bloomfield in the county of Huron.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

#### THIRD READING OF BILLS.

Senate bill No. 4, entitled

A bill to amend section 7559 of the compiled laws of 1871,

Was read a third time, and, pending the taking of the vote on the passage thereof,



Mr. Gilmore moved to amend the bill by inserting in the third line of section 6, the word "sections" in lieu of the word "section;" also by inserting between the words "also" and "apply," the word "severally," in said third line of section 6;

Which motion prevailed, two-thirds of all the members elect voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Robertson,
Armstrong,	Haire,	Sanderson,
Bailey,	Harris,	Scott,
Bartholomew,	Haywood,	Sessions,
Blackman,	Hertzler,	Simpson,
Bonine,	Hewitt,	Smith,
Bottomley,	Hoar,	Speed,
Breitung,	Hosner,	Striker,
Briggs,	Howard,	Thomas,
Brunson,	Hoyt,	Van Aken,
Buell,	Kellogg,	Van Scoy,
Burns,	Kipp,	A. Walker,
Caplis,	Lamb,	B. Walker,
Chafey,	Lewis,	F. Walker,
Cobb,	Luce,	J. Walker,
Cook,	Markey,	L. Walker,
Curtis,	R. C. Miller,	Walton,
Dinturff,	Mitchell,	Warren,
Drew,	Morse,	C. W. Watkins,
Edwards,	Noyes,	E. C. Watkins,
Fancher,	O'Dell,	Welch,
Fey,	Parsons,	Welker,
Ferguson,	Perry,	Wheeler,
Garfield,	Pierce,	Withington,
Garvelink,	Priest,	Wixson,
Gilmore,	Remer,	Zimmerman,
Gordon,	Rich,	Speaker.
Grant,	Ripley,	

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## NAYS.

Mr. Greusel,

1

The question being on agreeing to the title,

Mr. Bartholomew moved to amend the title so that it should read as follows:

“A bill to amend section 8 of chapter 245, being section 7559 of the compiled laws of 1871, relative to offenses against property;”

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 10, entitled

A bill to amend section 30, chapter 10, being section 496 of the compiled laws of 1871, entitled “Boards of Supervisors;”

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Armstrong,	Mr. Greusel,	Mr. Hewitt,	4
Garvelink,			

#### NAYS.

Mr. Ackley,	Mr. Haire,	Mr. Robertson,
Bailey,	Harris,	Sanderson,
Bartholomew,	Haywood,	Scott,
Blackman,	Hertzler,	Sessions,
Bonine,	Hoar,	Simpson,
Bottomley,	Hosner,	Smith,
Breitung,	Howard,	Speed,
Briggs,	Hoyt,	Striker,
Brunson,	Kellogg,	Thomas,
Buell,	Kipp,	Van Aken,
Burns,	Lamb,	Van Scoy,
Caplis,	Lewis,	A. Walker,
Chafey,	Luce,	B. Walker,
Cobb,	Markey,	J. Walker,
Cook,	R. C. Miller,	L. Walker,
Curtis,	Mitchell,	Walton,
Dinturff,	Morse,	Warren,
Edwards,	Noyes,	C. W. Watkins,
Fancher,	O'Dell,	E. C. Watkins,

Mr. Fey,	Mr. Parsons,	Mr. Welch,	
Ferguson,	Perry,	Welker,	
Garfield,	Pierce,	Wheeler,	
Gilmore,	Priest,	Withington,	
Gordon,	Remer,	Wixson,	
Grant,	Rich,	Speaker.	77
Green,	Ripley,		

## MOTIONS AND RESOLUTIONS.

Mr. Wixson moved to take from the table

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to procure an amendment to the pension law granting pensions to the surviving soldiers of the war of 1812, so as to entitle all of said soldiers to a pension irrespective of the time of service ;

Which motion prevailed.

On motion of Mr. Hoyt,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Grant moved to discharge the committee of the whole from the further consideration of Senate bill No. 5, entitled

A bill to provide for the payment of the officers and members of the Legislature ;

Which motion prevailed.

Mr. Grant moved to re-consider the vote by which the House refused to concur in the amendments made to the bill by the committee of ways and means, which amendment was as follows :

“Amend by inserting after the word ‘route,’ in line 5, the following: ‘and to the members of the Senate and House of Representatives from the Upper Peninsula, two dollars per day each, additional, during the present session of the Legislature.’”

Mr. J. Walker moved to lay the motion to re-consider on the table ;

Which motion did not prevail.

Mr. J. Walker demanded the yeas and nays on agreeing to the motion to reconsider.

The demand was seconded, and the motion did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Fey,	Mr. Scott,
Bartholomew,	Gordon,	Simpson,
Blackman,	Grant,	Smith,
Bonine,	Green,	Speed,
Bottomley,	Greusel,	Van Scoy,
Brunson,	Haire,	A. Walker,
Burns,	Hoyt,	L. Walker,
Caplis,	Lewis,	Walton,
Cobb,	Mitchell,	Welker,
Cook,	Noyes,	Withington,
Edwards,	Parsons,	Speaker,
Fancher,	Remer,	

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## NAYS.

Mr. Armstrong,	Mr. Howard,	Mr. Sanderson,
Bailey,	Kellogg,	Sessions,
Briggs,	Kipp,	Striker,
Chafey,	Lamb,	Thomas,
Curtis,	Luce,	Van Aken,
Dinturff,	Markey,	B. Walker,
Drew,	R. C. Miller,	F. Walker,
Ferguson,	Morse,	J. Walker,
Garfield,	O'Dell,	Warren,
Garvelink,	Perry,	C. W. Watkins,
Gilmore,	Pierce,	E. C. Watkins,
Haywood,	Priest,	Welch,
Hertzler,	Rich,	Wheeler,
Hewitt,	Ripley,	Wixson,
Hosner,	Robertson,	Zimmerman, 45

Mr. Ripley moved that the rules be suspended, and that the bill be put on its immediate passage ;

Which motion did not prevail.

Mr. Grant moved that the bill be referred to the committee of the whole, and placed on the general order ;

Which motion did not prevail.

On motion of Mr. C. W. Watkins,

The bill was placed on the order of third reading.

## GENERAL ORDER.

On motion of Mr. J. Walker,

The House went into committee of the whole on the general order,

Mr. Caplis in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

Substitute for House bill No. 1, entitled

A bill to amend section 13 of chapter 268 of the compiled laws of 1871 ;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

JAMES CAPLIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warren,

Leave was granted the committee to sit again.

On motion of Mr. Noyes,

The House took a recess until 2 o'clock P. M.

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## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

Mr. Garfield asked and obtained leave of absence for Mr. Carter until Monday noon, on account of sickness.

## PRESENTATION OF PETITIONS.

By Mr. Armstrong : Petition of town board of the township of Dayton, Newaygo county, for legalizing the tax roll of said town for the year 1872 ;

Referred to the committee on local taxation.

By Mr. Fancher: Petition of the board of supervisors of Isabella county, asking the taxation of railroad lands,

Referred to the committee on public lands ;

By Mr. Shaw: Petition of Florence R. Lathrop, a minor, for authority to act as though of full age ;

Referred to the committee on judiciary.

By Mr. Haire: Petition and resolution of the supervisors of Ottawa county, asking an amendment to the school law ;

Referred to the committee on education.

#### REPORTS OF STANDING COMMITTEES.

By the committee on railroads :

The committee on railroads, to whom was referred

A bill to protect travelers from annoyance of runners and solicitors for hotels, boats, etc.,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Garfield,

The bill was laid on the table.

#### NOTICES.

Mr. Breitung gave notice that on some future day he would ask leave to introduce

A bill to amend sections six (6) and fifteen (15) of an act relative to the formation of mining companies, approved February 5, 1853, and section six (6) of an act supplementary to the foregoing act, approved February 6, 1855, being sections two thousand eight hundred and forty-one (2841), two thousand eight hundred and fifty (2850), and two thousand eight

hundred and seventy (2870), of chapter ninety-five (95), of the compiled laws of 1871.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to prevent any State swamp land road commissioner, local commissioner of any State land, or clerk of the "Board of State Land Road Commissioners," from buying or selling any order for State swamp lands, usually denominated "swamp land scrip."

### THIRD READING OF BILLS.

Senate bill No. 5, entitled

A bill to provide for the payment of the officers and members of the Legislature,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

### YEAS.

Mr. Armstrong,	Mr. Hosner,	Mr. Robertson,
Bailey,	Howard,	Rose,
Briggs,	Kellogg,	Sanderson,
Chafey,	Kipp,	Sessions,
Curtis,	Knapp,	Van Aken,
Dinturff,	Luce,	B. Walker,
Drew,	Markey,	F. Walker,
Ferguson,	R. C. Miller,	J. Walker,
Garfield,	Morse,	Warren,
Garvelink,	O'Dell,	E. C. Watkins,
Greusel,	Pierce,	Welch,
Haire,	Priest,	Wixson,
Hertzler,	Rich,	Zimmerman,
Hewitt,	Ripley,	

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### NAYS.

Mr. Ackley,	Mr. Gilmore,	Mr. Simpson,
Bartholomew,	Gordon,	Smith,
Blackman,	Grant,	Speed,
Bonine,	Green,	Striker,
Bottomly,	Harris,	Thomas,
Breitung,	Haywood,	Van Scoy,
Brunson,	Hoar,	A. Walker,

Mr. Buell,  
Burns,  
Caplis,  
Cobb,  
Cook,  
Edwards,  
Fancher,  
Fey,

Mr. Hoyt,  
Lewis,  
Mitchell,  
Noyes,  
Perry,  
Remer,  
Scott,  
Shaw,

Mr. L. Walker,  
Walton,  
C. W. Watkins,  
Welker,  
Wheeler,  
Withington,  
Speaker,

44

Mr. Speed moved that the vote by which the House refused to pass the bill be reconsidered ;

Which motion prevailed.

On motion of Mr. Speed,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Caplis offered the following:

*Resolved*, That when the House adjourns Saturday noon it be until Monday at 2 o'clock p. m.

Mr. Hoyt demanded the yeas and nays.

The demand was seconded, and pending the taking of the vote thereon,

Mr. Cobb moved to amend by making the time 7½ o'clock P. M. of Monday;

Pending which,

Mr. C. W. Watkins offered the following substitute for the original resolution and amendment:

*Resolved*, That when the House adjourns to-day it be until Monday evening at 2 P. M.;

Upon the adoption of which substitute

Mr. Buell demanded the yeas and nays.

The demand was seconded, and the substitute was not agreed to, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,  
Bailey,  
Blackman,  
Bonine,  
Bottomley,

Mr. Ferguson,  
Fey,  
Garvelink,  
Lewis,  
Perry,

Mr. Shaw,  
Speed,  
Striker,  
Thomas,  
B. Walker,



Mr. Caplis,  
Dinturff,  
Edwards,  
Fancher,

Mr. Remer,  
Ripley,  
Scott,

Mr. F. Walker,  
C. W. Watkins,  
Welch,

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## NAYS.

Mr. Armstrong,  
Bartholomew,  
Breitung,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Chafey,  
Cobb,  
Cook,  
Curtis,  
Drew,  
Garfield,  
Gilmore,  
Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,

Mr. Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Luce,  
Markey,  
R. C. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Pierce,  
Priest,

Mr. Rich,  
Robertson,  
Rose,  
Sanderson,  
Sessions,  
Simpson,  
Smith,  
Van Aken,  
A. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
E. C. Watkins,  
Welker,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

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Pending the announcement of the vote,

Mr. Bonine moved that Mr. Bartholomew be excused from voting;

Which motion did not prevail.

Mr. Bartholomew then voted as recorded above.

Pending the announcement of the vote.

Mr. Bonine moved Mr. Shaw be excused from voting;

Which motion did not prevail.

Mr. Shaw then voted as recorded above.

Mr. Rose then offered the following substitute for the original resolution and amendment:

*Resolved*, That when this House adjourn to-morrow, the 18th, that it be till Tuesday, the 21st day of January instant, at the hour of 10 o'clock A. M.;

Which was not agreed to.

The question recurring on agreeing to the amendment offered by Mr. Cobb to the original resolution,

The same was not agreed to.

The question recurring on the original resolution, the vote was taken by yeas and nays, as demanded by Mr. Hoyt, and the resolution was not adopted by yeas, and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Edwards,	Mr. Ripley,
Armstrong,	Ferguson,	Scott,
Bailey,	Gilmore,	Sessions,
Bottomley,	Hoar,	Shaw,
Brunson,	Hosner,	Smith,
Burns,	Howard,	Speed,
Caplis,	Knapp,	Van Scoy,
Cook,	Markey,	Warren,
Dinturff,	Pierce,	Zimmerman, 27

#### NAYS.

Mr. Bartholomew,	Mr. Haywood,	Mr. Sanderson,
Blackman,	Hertzler,	Simpson,
Bonine,	Hewitt,	Striker,
Breitung,	Hoyt,	Thomas,
Briggs,	Kellogg,	Van Aken,
Buell,	Kipp,	A. Walker,
Chafey,	Lamb,	B. Walker,
Cobb,	Lewis,	F. Walker,
Curtis,	Luce,	J. Walker,
Drew,	R. C. Miller,	L. Walker,
Fancher,	Mitchell,	Walton,
Fey,	Morse,	C. W. Watkins,
Garfield,	Noyes,	E. C. Watkins,
Garvelink,	O'Dell,	Welch,
Gordon,	Perry,	Welker,
Grant,	Priest,	Wheeler,
Green,	Remer,	Withington,
Greusel,	Rich.	Wixson,
Haire,	Robertson,	Speaker,
Harris,	Rose,	59

Mr. Ackley offered the following:

*Resolved*, That Dr. J. B. Angell, President of the University, be and hereby is invited to deliver an address in the Hall of

Representatives, on the educational interests of the State, on such evening as shall be convenient to him ;

Which was adopted.

Mr. Scott moved to discharge the judiciary committee from the further consideration of

A bill for the repeal of the charter of the Plymouth Plank Road Company ;

And that when the same is reported back to this House, it be referred to the committee on roads and bridges ;

Which motion prevailed.

Mr. Buel moved to discharge the committee of the whole from the further consideration of House joint resolution No. 1, entitled

Joint resolution No. 1, asking Congress for a grant of lands to aid in the construction of a railroad from Marquette to Sault Ste. Marie and Mackinaw ;

Which motion prevailed.

On motion of Mr. Buell,

The joint resolution was laid on the table.

Mr. Caplis asked and obtained leave of absence for himself until Tuesday.

Mr. Speed asked and obtained leave of absence for himself until Tuesday.

Mr. Bottomley asked and obtained leave of absence for himself until Tuesday noon.

Mr. B. Walker asked and obtained leave of absence for himself until Tuesday noon.

Mr. Hertzler asked and obtained leave of absence for himself until Tuesday noon.

Mr. Smith asked and obtained leave of absence for himself until Tuesday noon.

Mr. Welch asked and obtained leave of absence for himself until Tuesday.

## SPECIAL ORDER.

On motion of Mr. Shaw,

The House went into committee of the whole on the special order,

Mr. Blackman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

House joint resolution No. 2, entitled

Joint resolution asking Congress for an appropriation for the survey of the Michigan ship canal,

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and and recommend its passage.

S. H. BLACKMAN, *Chairman*.

Report accepted and committee discharged.

The joint resolution was placed on the order of third reading.

On motion of Mr. Grant,

The House adjourned.

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*Lansing, Saturday, January 18, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Allis.

Roll called: quorum present.

Absent without leave: Messrs. Bailey, Bonine, Chamberlain, Edwards, Garvelink, Pierce, Remer, Robinson, Sessions, Striker, Thomas, C. W. Watkins, and West.

Mr. Rose asked and obtained leave of absence for himself until Tuesday.

Mr. Withington asked and obtained leave of absence for himself for the day.

Mr. J. Walker asked and obtained leave of absence for himself until Wednesday.

Mr. Greusel asked and obtained leave of absence for Mr. Edwards until Monday noon.

Mr. Morse asked and obtained leave of absence for Mr. Sessions until Tuesday.

Mr. Perry asked and obtained leave of absence for Mr. Remer until Tuesday.

Mr. Fancher asked and obtained leave of absence for Mr. Bailey for the day.

Mr. L. Walker asked and obtained leave of absence for Mr. Bonine until Tuesday.

Mr. Burns asked and obtained leave of absence for himself until Monday noon.

Mr. Morse asked and obtained leave of absence for himself until Tuesday.

Mr. Scott asked and obtained leave of absence for Mr. Pierce for the day.

Mr. Haire asked and obtained leave of absence for himself until Tuesday.

Mr. Fey asked and obtained leave of absence for himself until Tuesday.

Mr. Fancher asked and obtained leave of absence for himself until Friday.

Mr. L. Walker asked and obtained leave of absence for Mr. Chamberlain until Tuesday.

Mr. Morse asked and obtained leave of absence for Mr. Sessions until Tuesday.

Mr. Ripley asked and obtained leave of absence for Mr. Striker for the day.

Mr. F. Walker asked and obtained leave of absence for Mr. Thomas for the day.

Mr. Scott asked and obtained leave of absence for himself until Monday noon.

Mr. Noyes, by unanimous consent, offered the following :

*Resolved*, That when this House adjourns to-day it be until Tuesday at 10 o'clock a. m.

Mr. Garfield demanded the yeas and nays.

The demand was not seconded.

The resolution was then adopted.

#### PRESENTATION OF PETITIONS.

By Mr. Garfield: A resolution of the board of supervisors of Kent county relative to the equalization of property in fractional school districts;

Referred to the committee on ways and means.

By Mr. Rose: Petition of J. W. Ash and 13 others, citizens of the township of Lincoln, Osceola county, asking that the time for the collection of taxes for the year 1872 be extended till the first day of March, 1873 ;

Referred to the committee on local taxation.

By Mr. Garfield: Resolution of the board of supervisors of Kent county relative to the salaries of circuit judges;

Referred to the committee on judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on judiciary :

The committee on judiciary, to whom was referred the following resolution :

*“Resolved*, That the House furnish each reporter of the press upon the Speaker's platform so much stationery during the session of the Legislature as shall not exceed in value the allowance to which each member of this House is entitled,”

Respectfully report that they have had the same under consideration, and report the same back to the House without

amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The question being upon the adoption of the resolution,

The resolution was adopted.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill to amend section 4256 of the compiled laws, being an act to confirm the letters of the attorney in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill to amend an act entitled "An act to provide for primary schools," the same being section 31 of chapter 136 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill for the repeal of the charter of the Plymouth Plank Road Company ;

Also,

Two petitions relative to the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, in accordance with the order of the House, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Scott,

The bill and petitions were referred to the committee on roads and bridges.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill to amend section 1 of an act entitled "An act to authorize proceedings by garnishment in civil courts, and in the District Court of the Upper Peninsula," the same being section 6465 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Greusel,

The bill was laid on the table.

By the committee on judiciary :

The committee on judiciary to whom was referred,

Senate bill No. 2, entitled,

A bill to amend section 127 of chapter 178 of the compiled laws of 1871, being an act relative to courts held by justices of the peace,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

E. O. ROSE, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kellogg,

The House concurred in the adoption of the substitute reported by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation :

The committee on local taxation to whom was referred,

A bill to legalize the assessment roll of the township of Cherry Grove in the county of Wexford, for the year A. D. 1872,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

PRESTON MITCHELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation :

The committee on local taxation, to whom was referred

A bill to legalize the assessment roll of the township of Henderson, in the county of Wexford, for the year 1872,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

PRESTON MITCHELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to prevent persons from promoting or conducting fights between animals or fowls, and from raising, training, or fitting them for that purpose,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
*Lansing, January 17, 1873.* }

*To the House of Representatives:*

I have this day approved, signed, and deposited in the office of the Secretary of State, the following:

An act to legalize the assessment roll of the township of Butler, in the county of Branch, for the year 1872.

JOHN J. BAGLEY.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, January 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

*Resolved* (the Senate concurring), That rule number 13 of the joint rules of the Senate and House of Representatives be and the same is hereby amended, so as to read as follows :

“RULE 13. Every resolution by which any money or other property of the State shall be donated or appropriated, or by which any expense to the State shall be incurred, or which shall have any operation or effect outside of the two houses of the Legislature, except such appropriations and expenses as shall be for the exclusive use, necessity, or convenience of the Legislature, shall be either a joint or concurrent resolution, and shall take the same course as a bill, and shall be enrolled and presented to the Governor for his signature before the same shall take effect ;

In the passage of which the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The concurrent resolution were referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, January 17, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill ;

House bill No. 4, entitled

A bill to amend an act entitled “ An act to revise the charter of the village of Wayland,” being act No. 366 of the session

laws of 1869, approved March 30, 1869, as amended by act No. 203, session laws of 1871, approved February 27, 1871,

And to inform the House that the Senate has amended the title of the same by striking out the word "amend" and inserting in lieu thereof the words "repeal section 46 of";

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Noyes,

The House concurred in the amendment made by the Senate to the title.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, January 17, 1872.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following concurrent resolution :

WHEREAS, Hon. Thomas W. Ferry, United States Senator for Michigan, has recently introduced to the United States Senate a bill to set apart a portion of the island of Mackinac, in the State of Michigan, as a national park ;

WHEREAS, Said bill, if enacted, will cause to be set apart, for a national park, so much of the island as is now held by the United States, under military reservation or otherwise, excepting Fort Mackinac and so much of the present reservation as bounds it to the south of the village, and west, north, and east respectively, by lines drawn north and south, east and west, at a distance of four hundred yards from the present fort flagstaff; and,

WHEREAS, The territory which this bill proposes to set off is withdrawn from settlement, and by the enactment of said bill will be improved and preserved as a park, under direction of the Secretary of War, thereby adding greatly to the attractive character of the island as a national summer resort; therefore,

*Resolved* (the House concurring), That the Senators and Representatives of Michigan, now in Congress at Washington, be and are hereby requested to use their best endeavors to secure the passage, during the present session, of the bill entitled, "A bill to set apart a certain portion of the island of Mackinac, in the Straits of Mackinac, within the State of Michigan, as a national park;"

*Resolved*, That the Governor be and he is hereby requested to cause a copy of the foregoing preamble and resolution to be forwarded to each of the Senators and Representatives of Michigan now in Congress at Washington;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee of the whole, and placed on the general order.

The Speaker also announced the following:

SENATE CHAMBER, {  
*Lansing, January 17, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 3, entitled

A bill to amend section 3366, being section 12 of chapter 128 of the compiled laws of 1871, relative to the formation of companies for the introduction of water into towns, cities and villages of the State of Michigan;

And to inform the House that the Senate has amended the

same by inserting after the word "company," in line two of recited section 12, the words "is or shall be" ;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Gilmore moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. O'Dell,
Armstrong,	Harris,	Parsons,
Bartholomew,	Haywood,	Perry,
Breitung,	Hewitt,	Pierce,
Brunson,	Hoar,	Priest,
Buell,	Hosner,	Rich,
Burns,	Howard,	Robertson,
Chafey,	Hoyt,	Rose,
Cook,	Kellogg,	Sanderson,
Curtis,	Kipp,	Shaw,
Dinturff,	Knapp,	Simpson,
Drew,	Lewis,	Van Aken,
Fancher,	Luce,	A. Walker,
Ferguson,	Markey,	F. Walker,
Fey,	R. C. Miller,	L. Walker,
Gilmore,	Mitchell,	Wheeler,
Gordon,	Morse,	Wixson,
Grant,	Noyes,	Speaker,
Green,		

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NAYS.

Mr. Ripley,

1

The bill was then referred to the committee on engrossment and enrollment for enrollment.

On motion of Mr. Gordon,

The House adjourned.

*Lansing, Tuesday, January 21, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Crosby.

Roll called : quorum present.

Absent without leave: Messrs. Armstrong, Bottomley, Cady, Chafey, Chamberlain, Climie, Collins, Dinturff, Drake, Eggleston, Ferguson, Fey, Hertzler, Lamb, Lewis, Morse, Ripley, Robinson, Thomas, Thompson, B. Walker, F. Walker, Zimmerman.

Mr. Knapp asked and obtained leave of absence for Mr. Zimmerman for the day.

Mr. L. Walker asked and obtained leave of absence for Mr. F. Walker for the day.

Mr. C. W. Watkins asked and obtained leave of absence for Mr. Thomas for the day.

Mr. Sanderson asked and obtained leave of absence for Mr. Robinson on account of sickness.

Mr. Striker asked and obtained leave of absence for Mr. Ripley for the day.

Mr. Haywood asked and obtained leave of absence for Mr. Morse on account of sickness.

Mr. Wheeler asked and obtained leave of absence for Mr. Armstrong for the day.

Mr. Rich asked and obtained leave of absence for Mr. Lamb for the day.

Mr. Simpson asked and obtained leave of absence for Mr. Hertzler for the day.

Mr. Ackley asked and obtained leave of absence for Mr. Fey for the day.

Mr. E. C. Watkins asked and obtained leave of absence for Mr. Eggleston for the day.

Mr. Striker asked and obtained leave of absence for Mr. Collins on account of sickness.

Mr. Parsons asked and obtained leave of absence for Mr. Climie for the day.

Mr. Luce asked and obtained leave of absence for Mr. Drake until Thursday.

Mr. West asked and obtained leave of absence for Mr. Chamberlain on account of sickness.

Mr. Kipp asked and obtained leave of absence for Mr. Cady for the day.

Mr. Ferry asked and obtained leave of absence for Mr. Bottomley for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Greusel: Remonstrance of E. B. Ward, C. H. Buhl, and others, against the passage of House bill No. 9.

The remonstrance is as follows:

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

The undersigned, citizens and tax-payers of the city of Detroit, respectfully remonstrate against the passage of the bill recently introduced into the House of Representatives, entitled

"A bill supplementary to an act entitled 'An act to revise the charter of the city of Detroit,' approved February 5th, 1867, and to abolish citizens' meetings in said city"—

Or the passage of any other act giving to the common council of said city authority to impose on said city taxes for extraordinary purposes, such as the purchase and establishment of a public park—without the sanction and approval, by ballot, of the tax-payers of said city.

Detroit, January 17th, 1873.

E. B. WARD.

C. H. BUHL.

JOHN STEPHENS.

ALLAN SHELDEN.

F. BUHL.

"I am of the opinion that taxes for all extraordinary purposes, should be submitted to the vote (by ballot) of the people."

H. P. BALDWIN.

C. M. DANTON.

WILLIAM A. MOORE.

COLIN CAMPBELL.

"I am of opinion taxes for extraordinary purposes should be submitted to the vote of the tax-payers."

A. H. DEY.

"I concur with the views of Mr. Dey."

C. A. KENT.

"And I."

R. W. KING.

MARK FLANIGAN.

NEWCOMB, ENDICOTT & Co.

S. FERDINAND & BROS.

GEO. PECK & Co.

E. B. SMITH & Co.

C. D. FARLIN.

CHAS. ROOT & Co.

C. VAN HUSAN.

WHITBECK & CHITTENDEN.

SCOTTEN, LOVETT & Co.

T. W. PALMER.



Referred to the committee on municipal corporations.

By Mr. Speed: Petition of John J. Bagley & Co. and 1000 others, asking that citizens' meetings be abolished in the city of Detroit;

Referred to the committee on municipal corporations.

By Mr. Edwards: Petition of Cronl Brothers, H. P. Baldwin & Co., and 290 others for abolishing citizens' meetings in the city of Detroit;

Referred to the committee on municipal corporations.

By Mr. Caplis: Petition of A. C. McGraw & Co., and 300 others, asking that citizens' meetings may be abolished in the city of Detroit;

Also: Petition of John Owen, D. C. Holbrook, city counselor, F. G. Russell, city attorney, and 50 others, asking that citizens' meetings be abolished in the city of Detroit;

Referred to the committee on municipal corporations.

By Mr. Bonine: Petition of A. P. Knox, J. Geltmaker, L. A. Duncan, S. G. Krick, R. W. Landon, and 41 other citizens of the city of Niles, asking for a change in the boundary line of said city;

Referred to the committee on municipal corporations.

By Mr. Bonine: Petition of Jas. Graham, R. D. Dix, C. D. Nichols, Geo. B. Platt, and 72 others, asking for a law to protect suckers and other fish;

Referred to the committee on fisheries.

#### REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend an act entitled "An act to provide for primary schools," the same being section 3740 of chapter 136 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when

so amended do pass, and asked to be discharged from the further consideration of the subject.

A. D. GILMORE, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walton,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, January 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

*Resolved* (the Senate concurring), That Auditor General Wm. Humphrey is hereby directed to take charge of all the chandeliers, lamps, and other lighting apparatus rendered useless by the introduction of gas, and to sell the same to the best advantage possible, and place the proceeds of such sale in the hands of the State Treasurer to the credit of the general fund;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, January 17, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 6, entitled

•A bill in relation to challenges of jurors in criminal cases;

Which has passed the Senate by a majorify vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

#### NOTICES.

Mr. Hoyt gave notice that on some future day he would ask leave to introduce

A bill to provide for an insurance on the State Library;

Also,

A bill to amend section 4 of "An act to provide for the better management and care of the State Library," the same being section 271, in chapter 7, of the compiled laws of 1871;

Also,

A bill to provide for the purchase of books for the State Library.

Mr. Knapp gave notice that on some future day he would ask leave to introduce

A bill to provide for an asylum for the insane;

Mr. Bartholomew gave notice that on some future day he would ask leave to introduce

A bill to amend section fourteen of act No. 259 of the session laws of 1871, being "An act to incorporate the village of Williamston," approved April 5, 1871.

Mr. Speed gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act supplementary to the charter of the city of Detroit, relating to a public park or other public grounds for the use of said city," being act No. 277 of the session laws of the year 1871," approved April 15, 1871.

Mr. Withington gave notice that on some future day he would ask leave to introduce

A bill to amend sections 7, 8, 9, 10, 30, 31, 38, 39, 42, 50, 64, 70, and 95 of an act entitled "An act for the re-organization of the military forces of the State of Michigan," approved January 18, 1862, being sections 834, 835, 836, 837, 857, 858, 865, 866, 869, 877, 891, 897, and 922, chapter 18 of the compiled laws of 1871, and to add new sections thereto.

Mr. Speed gave notice that on some future day he would ask leave to introduce

A bill to amend sections 1, 7, 8, 15, 17, 18, 19, 20, 21, 22, and 23 of act number 90 of the session laws of 1853, entitled "An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water-works," approved February 14, 1853.

Mr. Howard gave notice that on some future day he would ask leave to introduce

A bill making appropriations for the support of the Michigan Institution for Educating the Deaf and Dumb, and the Blind for the years 1873 and 1874, and for completing and furnishing the buildings and improving the grounds, and for purchasing tools and stock, and to pay foreman of shops of same.

#### INTRODUCTION OF BILLS.

Mr. Burns, previous notice having been given and leave being granted, introduced

A bill to authorize the board of water commissioners of the city of Detroit to borrow money for the purpose of extending and improving the water-works of said city.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Breitung, previous notice having been given and leave being granted, introduced

A bill to amend sections six (6) and fifteen (15) of an act

relative to the formation of mining companies, approved February 5, 1853, and section six (6) of an act supplementary to the foregoing act, approved February 6, 1855, being sections two thousand eight hundred and forty-one (2841), two thousand eight hundred and fifty (2850), and two thousand eight hundred and seventy (2870), of chapter ninety-five (95), of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on mines and minerals.

Mr. Buell, previous notice having been given and leave being granted, introduced

A bill to amend section 5 of "An act to authorize the formation of telegraph companies," being section 2629 in chapter 80 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. Buell, previous notice having been given and leave being granted, introduced

A bill to amend section 1 of "An act authorizing any person to construct lines of electric telegraph in the State of Michigan," being section 1608 in chapter 38 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Shaw, previous notice having been given and leave being granted, introduced

A bill to prevent any State swamp land road commissioner, local commissioner of any State land, or clerk of the "Board of State Land Road Commissioners," from buying or selling any order for State swamp lands, usually denominated "swamp land scrip."

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Priest, previous notice having been given and leave being granted, introduced

A bill relative to jurors.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. L. Welker, previous notice having been given and leave being granted, introduced

A joint resolution proposing an amendment to the constitution relative to the Governor's salary.

The joint resolution was read a first and second time by its title, and referred to the committee on judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. Greusel moved to discharge the committee of the whole from the further consideration of House bill No. 9, entitled

A bill supplementary to an act entitled, "An act to revise the charter of the city of Detroit," approved February 5, 1857," and to abolish citizens' meetings in said city ;

Which motion did not prevail.

Mr. Welker offered the following :

*Resolved*, That the committee on the Insane Asylum be instructed to report to this House as soon as practicable, the propriety of taking immediate steps for the erection of a new Asylum for the Insane, and if in their judgment immediate steps should be taken, that they also take into consideration the propriety of erecting said asylum at or near the city of Lansing ;

Which was adopted.

#### GENERAL ORDER.

On motion of Mr. C. W. Watkins,

The House went into committee of the whole on the general order,

Mr. Caplis in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. Substitute for House bill No. 1, entitled

A bill to amend section 13 of chapter 268 of the compiled laws of 1871;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

2. Senate bill No. 2, entitled

A bill to amend section 127 of chapter 178 of the compiled laws of 1871, being an act relative to courts held by justices of the peace;

And have directed their chairman to report the same back to the House with the recommendation that it be reprinted.

The committee of the whole have also had under consideration the following entitled bills:

3. Senate bill No. 5, entitled

A bill to provide for the payment of the officers and members of the Legislature for the year 1873;

4. House bill No. 11, entitled

A bill to amend section 10 of chapter 47 of the revised statutes of 1846, being section 2022 of chapter 58 of the compiled laws of 1871, relating to sale of stray beasts and disposition of proceeds;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following concurrent resolution:

WHEREAS, Hon. Thomas W. Ferry, United States Senator for Michigan, has recently introduced to the United States Senate a bill to set apart a portion of the island of Mackinac, in the State of Michigan, as a national park;

WHEREAS, Said bill, if enacted, will cause to be set apart, for a national park, so much of the island as is now held by the United States, under military reservation or otherwise,

excepting Fort Mackinac and so much of the present reservation as bounds it to the south of the village, and west, north, and east respectively, by lines drawn north and south, east and west, at a distance of four hundred yards from the present fort flagstaff; and,

WHEREAS, The territory which this bill proposes to set off is withdrawn from settlement, and by the enactment of said bill will be improved and preserved as a park, under direction of the Secretary of War, thereby adding greatly to the attractive character of the island as a national summer resort; therefore,

*Resolved* (the House concurring), That the Senators and Representatives of Michigan, now in Congress at Washington, be and are hereby requested to use their best endeavors to secure the passage, during the present session, of the bill entitled, "A bill to set apart a certain portion of the island of Mackinac, in the Straits of Mackinac, within the State of Michigan, as a national park;"

*Resolved*, That the Governor be and he is hereby requested to cause a copy of the foregoing preamble and resolution to be forwarded to each of the Senators and Representatives of Michigan now in Congress at Washington;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

JAMES CAPLIS, *Chairman*.

Report accepted and committee discharged.

The third and fourth named bills, and the concurrent resolution were placed on the order of third reading.

On motion of Mr. Bonine,

The House concurred in the amendments made to the first named bill by the committee, and it was placed on the order of third reading.

On motion of Mr. Climie,

The House concurred in the recommendation of the committee relative to the second named bill, and it was ordered reprinted.



On motion of Mr. Bonine,

The House took a recess till two o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

PRESENTATION OF PETITIONS.

By Mr. Dinturff: Petition of Wm. Fulford, J. A. Tanner, Geo. W. Palmerton, and 500 others, asking for the repeal of the law creating county superintendents of schools ;

Referred to the committee on education.

By Mr. Caplis: Petition of Dr. H. Kiefer, and 60 others, to abolish citizens' meetings in the city of Detroit ;

Referred to the committee on municipal corporations.

By Mr. Lockwood: Petition of Bolton & McKee, Alex. McDonald, Albert Pack, and 53 others, for an amendment to the charter of the city of Alpena ;

Referred to the committee on municipal corporations.

By Mr. Cook: Petition for an amendment to the charter of the village of Manchester :

Referred to the committee on municipal corporations.

Mr. Cobb, by unanimous consent, offered the following :

*Resolved*, That the use of this Hall be granted to the State Pomological Society, for this evening, for the purpose of hearing addresses from A. S. Dyckman, Esq., President of the Society, and Hon. T. T. Lyon of Plymouth ;

Which was adopted.

By Mr. Ferguson: Petition of George W. Wheeler and 11 others, for the organization of towns 24 north, of range 9 west, and 24 north, of range 10 west, in Wexford county, into a township to be called Greenwood.

Referred to the committee on towns and counties.

By Mr. Ackley: Memorial of the board of supervisors of Saginaw county, relative to delinquent highway tax.

Referred to the committee on roads and bridges.

By Mr. R. C. Miller: Petition of the board of supervisors of Montcalm county, asking that all railroad lands should become taxable as soon as the title to the same is vested in said railroad corporations;

Referred to the committee on ways and means and railroads, jointly.

Mr. Welker, by unanimous consent, moved to take from the table,

Joint resolution submitting an amendment to the constitution authorizing the employment of a chaplain for the State Prison, and religious services in the Legislature;

Which motion prevailed.

On motion of Mr. Welker,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

1. House bill No. 3, entitled

A bill to amend section 3366, being section 12 of chapter 128 of the compiled laws of 1871, relative to the formation of companies for the introduction of water into towns, cities, and villages of the State of Michigan;

2. House bill No. 4, entitled

A bill to repeal section 46 of an act entitled "An act to revise the charter of the village of Wayland," being act No. 366 of the session laws of 1869, approved March 30, 1869, as amended by act No. 203, session laws of 1871, approved February 27, 1871.

S. H. BLACKMAN, *Chairman.*

## NOTICES.

Mr. Ferguson gave notice that on some future day he would ask leave to introduce

A bill to organize towns 24 north, of ranges 9 and 10 west, into an organized township, to be called Greenwood.

Mr. R. C. Miller gave notice that on some future day he would ask leave to introduce

A bill to name a certain child Maud Rider.

Mr. Lewis gave notice that on some future day he would ask leave to introduce

A bill to organize the town of Edwards, in Iosco county.

Mr. Scott gave notice that on some future day he would ask leave to introduce

A bill to prohibit and punish the misuse or misappropriation of public moneys by officers having the custody of the same.

Mr. Grant gave notice that on some future day he would ask leave to introduce

A bill to provide for additional compensation to the members of the Legislature from the Upper Peninsula for the year 1873.

## INTRODUCTION OF BILLS.

Mr. R. C. Miller, unanimous consent being given, introduced

A bill to name a certain child Maud Rider.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Welch, previous notice having been given and leave being granted, introduced

A bill to repeal the second proviso of section 1 of chapter 26 of compiled laws of 1871, page 439, relative to the laying out of highways through orchards.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Armstrong, previous notice having been given and leave being granted, introduced

A bill to legalize the tax-roll of the township of Dayton, in Newaygo county, for the year 1872, and extend the time for the collection of taxes thereon.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Rose, previous notice having been given and leave being granted, introduced

A bill to legalize the tax roll of the township of Aetna, in the county of Mecosta, for the year 1872.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Lockwood, unanimous consent being given, introduced

A bill to amend sections 9 and 27 of an act to incorporate the city of Alpena, approved March 29, 1871, being act No. 249 of the session laws of 1871, and add a new section, to stand as section 94.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

#### THIRD READING OF BILLS.

House joint resolutions No. 2, entitled

Joint resolution asking Congress for an appropriation for the survey of the Michigan ship canal,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Perry demanded a division of the question.

The question being on the passage of the first resolution, the same was passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Breitung,

Mr. Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,  
Haywood,

Mr. Remer,  
Rich,  
Ripley,  
Robertson,  
Rose,  
Sanderson,  
Scott,

Mr. Briggs,	Mr. Hewitt,	Mr. Sessions,	
Brunson.	Hoar,	Shaw,	
Buell,	Hosner,	Simpson,	
Burns,	Howard,	Smith,	
Caplis,	Hoyt,	Speed,	
Carter,	Kellogg,	Striker,	
Chafey,	Kipp,	Thomas,	
Climie,	Knapp,	Van Aken,	
Cobb,	Lewis,	A. Walker,	
Cook,	Lockwood,	B. Walker,	
Curtis,	Luce,	L. Walker,	
Dinturff,	Markey,	Walton,	
Drew,	E. R. Miller,	Warren,	
Edwards,	R. O. Miller,	E. C. Watkins,	
Eggleston,	Mitchell,	Welch,	
Ferguson,	Noyes,	Welker,	
Fey,	O'Dell,	West,	
Garfield,	Parsons,	Withington,	
Garvelink,	Perry,	Wixon,	
Gilmore,	Pierce,	Speaker,	
Goodrich,	Priest,		83
	NAYS.		0

The question being on the passage of the second and third resolutions, the same were passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Remer,
Armstrong,	Goodrich,	Rich,
Bailey,	Gordon,	Ripley,
Bartholomew,	Grant,	Robertson,
Blackman,	Green,	Rose,
Bonine,	Greusel,	Sanderson,
Breitung,	Haire,	Scott,
Briggs,	Harris,	Sessions,
Brunson,	Haywood,	Shaw,
Buell,	Hewett,	Simpson,
Burns,	Hoar,	Smith,
Caplis,	Hosner,	Speed,
Carter,	Howard,	Striker,
Chafey,	Hoyt,	Thomas,
Climie,	Kellogg,	Van Aken,
Cobb,	Kipp,	A. Walker,
Cook,	Knapp,	B. Walker,
Curtis,	Lewis,	Warren,

<b>M</b> Dinturff, Drew, Edwards, Eggleston, Ferguson, Fey, Garfield, Garvelink,	Mr Lockwood, Luce, Markey, R. C. Miller, Mitchell, Parsons, Pierce, Priest,	Mr. C. W. Watkins, E. C. Watkins, Welch, Welker, West, Withington, Wixson, Speaker.	78
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NAYS.

Mr. Noyes, O'Dell,	Mr. Perry, L. Walker,	Mr. Walton,	5
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Title and preamble agreed to.

Substitute for House bill No. 1, entitled

A bill to amend section 13 of chapter 268 of the compiled laws of 1871,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. Bartholomew,

The bill was laid on the table.

House bill No. 11, entitled

A bill to amend section 10 of chapter 47 of the revised statutes of 1846, being section 2022 of chapter 58 of the compiled laws of 1871, relating to the sale of stray beasts and the disposition of proceeds,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley, Armstrong, Bailey, Bartholomew, Blackman, Bonine, Breitung, Briggs, Brunson, Buell, Burns, Caplis, Carter,	Mr. Grant, Green, Greusel, Haire, Harris, Haywood, Hewitt, Hoar, Hosner, Howard, Hoyt, Kellogg, Kipp,	Mr. Rich, Ripley, Robertson, Rose, Sanderson, Scott, Sessions, Shaw, Simpson, Smith, Speed, Striker, Thomas,
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Mr. Chafey, Climie, Cobb, Cook, Curtis, Dinturff, Drew, Edwards, Eggleston, Ferguson, Fey, Garfield, Garvelink, Gilmore, Goodrich, Gordon,	Mr. Knapp, Lewis, Lockwood, Luce, Markey, E. R. Miller, R. C. Miller, Mitchell, Noyes, O'Dell, Parsons, Perry, Pierce, Priest, Remer,	Mr. Van Aken, Van Scoy, A. Walker, B. Walker, L. Walker, Walton, Warren, C. W. Watkins, E. C. Watkins, Welch, Welker, West, Withington, Wixson, Speaker,
		85

NAYS.

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The question being on agreeing to the title,

On motion of Mr. Bartholomew,

The title was amended by striking out the word "of" after the figures "2022," in the second line.

The title, as amended, was then agreed to.

On motion of Mr. Blackman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 5, entitled,

A bill to provide for the payment of the officers and members of the Legislature for the year 1873,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley, Armstrong, Bailey, Bartholomew, Blackman, Breitung, Briggs, Brunson, Buell, Burns, Caplis,	Mr. Gordon, Grant, Green, Greusel, Haire, Harris, Hewitt, Hoar, Hosner, Howard, Hoyt,	Mr. Robertson, Rose, Sanderson, Sessions, Shaw, Simpson, Smith, Speed, Striker, Thomas, Van Aken,
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Mr. Carter, Chafey, Climie, Cobb, Cook, Curtis, Dinturff, Edwards, Eggleston, Ferguson, Fey, Garfield, Garvelink,	Mr. Kellogg, Kipp, Knapp, Markey, E. R. Miller, R. C. Miller, Mitchell, O'Dell, Parsons. Pierce, Priest, Rich, Ripley, NAYS.	Mr. Van Scoy, A. Walker, B. Walker, Walton, Warren, C. W. Watkins, E. C. Watkins, Welch, Welker, West, Withington, Wixson, Speaker, 71
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Mr. Bonine, Drew, Gilmore, Goodrich, Haywood,	Lewis, Lockwood, Luce, Noyes,	Perry, Remer, Scott, L. Walker, 13
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Title agreed to.

On motion of Mr. Garfield,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Concurrent resolution relative to a national park,

Was read a third time and passed, a majority of all the members present voting therefor.

The resolution is as follows :

WHEREAS, Hon. Thomas W. Ferry, United States Senator for Michigan, has recently introduced to the United States Senate a bill to set apart a portion of the island of Mackinac, in the State of Michigan, as a national park ;

WHEREAS, Said bill, if enacted, will cause to be set apart, for a national park, so much of the island as is now held by the United States, under military reservation or otherwise, excepting Fort Mackinac and so much of the present reservation as bounds it to the south of the village, and west, north, and east respectively, by lines drawn north and south, east and west, at a distance of four hundred yards from the present fort flagstaff; and,



WHEREAS, The territory which this bill proposes to set off is withdrawn from settlement, and by the enactment of said bill will be improved and preserved as a park, under direction of the Secretary of War, thereby adding greatly to the attractive character of the island as a national summer resort; therefore,

*Resolved*, (the House concurring), That the Senators and Representatives of Michigan, now in Congress at Washington, be and are hereby requested to use their best endeavors to secure the passage, during the present session, of the bill entitled, "A bill to set apart a certain portion of the island of Mackinac, in the Straits of Mackinac, within the State of Michigan, as a national park ;"

*Resolved*, That the Governor be and he is hereby requested to cause a copy of the foregoing preamble and resolution to be forwarded to each of the Senators and Representatives of Michigan now in Congress at Washington ;

Which was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Bartholomew offered the following :

*Resolved*, That committees to whom any bill or joint resolution is referred, or who may report or bring in any such bill or joint resolution, be especially instructed to see that the title thereof is worded in accordance with the requirements of the constitution and the rules of the House ;

Which was adopted.

#### GENERAL ORDER.

On motion of Mr. Speed,

The House went into committee of the whole, on the general order,

Mr. Bonine in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report : "

The committee of the whole have had under consideration the following entitled bill :

1. House bill No. 9, entitled

A bill supplementary to an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, and to abolish "citizens' meetings" in said city,

Have made no amendment thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

E. J. BONINE, *Chairman.*

Report accepted and committee discharged.

Mr. Speed moved to suspend the rules, and that the bill be placed on its immediate passage ;

Which motion did not prevail.

The bill was then placed on the order of third reading.

On motion of Mr. Bartholomew,

The House adjourned.

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*Lansing, Wednesday, January 22, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Fairfield.

Roll called: quorum present.

Absent without leave: Messrs. Parsons, Lamb, F. Walker, and Wheeler.

Mr. L. Walker asked and obtained leave of absence for Mr. F. Walker for the day.

Mr. Greusel asked and obtained leave of absence for Mr. Wheeler indefinitely, on account of sickness.

Mr. Rich asked and obtained leave of absence for Mr. Lamb for the day.

Mr. Climie asked and obtained leave of absence for Mr. Parsons indefinitely, on account of sickness.

## PRESENTATION OF PETITIONS.

By Mr. Greusel: Memorial of T. W. Palmer and H. C. Hodges relative to House bill No. 9, being amendatory of the charter of the city of Detroit;

Referred to the committee on municipal corporations.

By Mr. Green: Petition of John Acker, L. B. Davis, J. M. Wadsworth, and 21 others, relative to the organization of a new township;

Referred to the committee on towns and counties.

By Mr. Withington: Petition of Charles W. Perry and Joshua Palmer, asking relief from liability on the official bond of John W. Hulin, late clerk of the Michigan State Prison;

Also: Petition of P. B. Loomis, M. A. McNaughton, Alonzo Bennett, Samuel Higby, and 275 others, for the same purpose;

Referred to the committee on ways and means.

By Mr. Lewis: Petition of Cook & Langworthy, S. V. Wilkins, and 90 others, relative to repeal of the exemption from garnishment;

Referred to the committee on judiciary.

By Mr. Luce: Petition of Daniel Woodward and 26 others relative to tax on dogs;

Referred to the committee on State affairs.

By Mr. Greusel: Remonstrance of David Cooper, Waldo M. Johnson, John V. Mehling, and 503 others, against the passage of House bill No. 9;

Referred to the committee on municipal corporations.

## COMMUNICATIONS FROM STATE OFFICERS.

*Lansing, January 21, 1873.*

HON. C. M. CROSWELL, *Speaker of House of Representatives*:

SIR:—Owing mainly to the tardiness of school officers in making their reports, the annual report for 1872, of my predecessor, Hon. Oramel Hosford, is not yet through the press. The first three forms are in print, and I have caused copies of

the same to be placed on the tables of members of the House for their consideration.

I have the honor to be respectfully yours,

DAN'L B. BRIGGS,

*State Sup't.*

The communication was laid on the table.

MESSAGE FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, )  
*Lansing, January 21, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 14, entitled

A bill to provide for the recording of judgments in actions affecting or relating to the title of real estate ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

NOTICES.

Mr. Perry gave notice that on some future day he would ask leave to introduce

A bill to provide for the proper labeling of matches.

Mr. E. R. Miller gave notice that on some future day he would ask leave to introduce

A bill to amend section 3 of chapter 230 of the compiled laws of 1871, it being an act in relation to the punishment of fraudulent debtors, and to restore certain words thereto.

Mr. Blackman gave notice that on some future day he would ask leave to introduce

A bill to amend section three of chapter twenty-one, being section 969 of the compiled laws of 1871, in relation to the assessment of property and the collection and return of taxes thereon.

Mr. Eggleston gave notice that on some future day he would ask leave to introduce

A bill to repeal "An act relating to interest upon installments falling due upon written instruments," approved February 19th, 1869, being section 1637 of the compiled laws of 1871.

Mr. Dinturff gave notice that on some future day he would ask leave to introduce

A bill to amend amend act number 279 of session laws of 1871, relative to the incorporation of the village of Fowlerville in the county of Livingston.

Mr. Eggleston gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to amend section fifty-seven of chapter ninety of the revised statutes of 1846, and the acts amendatory thereof, approved January 29, 1858, relative to the examination of witnesses in cases in chancery," approved April 6, 1869, being section 5093 of the compiled laws of 1871.

Mr. Hoar gave notice that on some future day he would ask leave to introduce

A bill to amend sections sixteen (16) and twenty-two (22), of an act relative to county jails and the regulation thereof being sections eight thousand and thirty-three (8033) and eight thousand and thirty-nine (8039), in chapter two hundred and sixty-six (266) of the compiled laws of 1871.

Mr. C. W. Watkins gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to provide for the

fees of officers and ministers of justice in criminal cases," being section 7489, chapter 240 of the compiled laws of 1871,

Also,

A bill to amend an act entitled "An act to provide for the fees of certain officers in civil cases," being section 7442, chapter 239 of the compiled laws of 1871.

Mr. B. Walker gave notice that on some future day he would ask leave to introduce

A bill to change the name of Maggie E. Lullig to Lenna E. Drwey, and to constitute her the heir-at-law of Willard R. Drwey and Ellen M. Drwey.

Mr. Bartholomew gave notice that on some future day he would ask leave to introduce

A joint resolution for the relief of the Central Methodist Episcopal Church of Lansing, Michigan.

Mr. Rose gave notice that on some future day he would ask leave to introduce

A bill to amend sections 7, 8, 14, 16, and 18, of chapter 169, of the compiled laws of 1871, being sections 4725, 4726, 4728, 4730, and 4732, of said compiled laws; being parts of the chapter relating to marriage and the solemnization thereof.

#### INTRODUCTION OF BILLS.

Mr. Ferguson, previous notice having been given and leave being granted, introduced

A bill to organize the township of Boardman, being township 26 north, of range 8 west, in Kalkaska county.

The bill was read a first and second time by its title and referred to the committee on towns and counties.

Mr. Ferguson, previous notice having been given and leave being granted, introduced

A bill to organize town 24 north, of ranges 9 and 10 west, into an organized township, to be called Greenwood.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Noyes, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl."

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Bartholomew, previous notice having been given and leave being granted, introduced

A bill to amend section fourteen of act No. 259 of the session laws of 1871, being "An act to incorporate the village of Williamston," approved April 5, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Hoyt, previous notice having been given, and leave being granted, introduced

A bill to provide for an insurance on the State Library.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Hoyt, previous notice having been given, and leave being granted, introduced

A bill to amend section 4 of "An act to provide for the better management and care of the State Library," the same being section 271, in chapter 7 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on State Library.

Mr. Hoyt, previous notice having been given, and leave being granted, introduced

A bill to provide for the purchase of books for the State Library.

The bill was read a first and second time by its title, and referred to the committee on State Library.

Mr. Lewis, previous notice having been given and leave being granted, introduced

A bill to organize the town of Edwards, in Iosco county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Withington, previous notice having been given and leave being granted, introduced

A bill to amend sections 7, 8, 9, 10, 30, 31, 38, 39, 42, 64, 70, and 95, and to repeal section 50 of an act entitled "An act for the re-organization of the military forces of the State of Michigan," approved January 18, 1862, being sections 834, 835, 836, 837, 857, 858, 865, 866, 869, 877, 891, 897, and 922, chapter 18 of the compiled laws of 1871, and to add new sections thereto.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Speed, previous notice having been given and leave being granted, introduced

A bill to amend sections 1, 7, 8, 15, 17, 18, 19, 20, 21, 22, and 23 of act number 90 of the session laws of 1853, entitled "An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water-works," approved February 14, 1853.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Speed, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act supplementary to the charter of the city of Detroit, relating to a public park or other public grounds for the use of said city," being act No. 277 of the session laws of the year 1871, approved April 15, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Grant, previous notice having been given and leave being granted, introduced

A bill to provide for additional compensation to the mem-



bers of the Legislature from the Upper Peninsula for the year 1873.

The bill was read a first and second time by its title, and referred the committee on ways and means.

Mr. Mitchell, previous notice having been given and leave being granted, introduced

A bill to amend section 2 of act No. 138 of the session laws of 1859, being section 7938 of the compiled laws of 1871, relative to witnesses in circuit courts.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Noyes, unanimous consent being given, introduced

A bill to amend an act entitled "An act for the protection the rights of females."

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Buell, unanimous consent being given, introduced

A bill to require the Commissioner of the State Land Office to give public notice of the restoration of reserved or forfeited State lands to market.

The bill was read a first and second time by its title, and referred to the committee on public lands.

#### THIRD READING OF BILLS.

1. House bill No. 9, entitled,

A bill supplementary to an act entitled, "An act to revise the charter of the city of Detroit," approved February 5, 1857, and to abolish citizens' meetings in said city;

Was read a third time, and, pending the taking of the vote on the passage thereof.

Mr. Greusel moved to lay the bill upon the table.

Mr. Greusel demanded the yeas and nays.

The demand was seconded and the motion prevailed by yeas and nays as follows:

## YEAS.

Mr. Armstrong,	Mr. Haywood,	Mr. Sanderson,
Bailey,	Hertzler,	Sessions,
Blackman,	Hewitt,	Simpson,
Briggs,	Hosner,	Smith,
Carter,	Kellogg,	Striker,
Chafey,	Kipp,	Thomas,
Climie,	Lockwood,	Van Aken,
Cobb,	Luce,	L. Walker,
Cook,	Markey,	Walton,
Curtis,	E. R. Miller,	C. W. Watkins,
Dinturff,	R. C. Miller,	E. C. Watkins,
Garfield,	O'Dell,	Welch,
Garvelink,	Perry,	Welker,
Gilmore,	Pierce,	West,
Grant,	Priest,	Withington,
Green,	Rich,	Wixson,
Greusel,	Ripley,	Zimmerman,
Haire,	Robertson,	53

## NAYS.

Mr. Ackley,	Mr. Eggleston,	Mr. Noyes,
Bartholomew,	Ferguson,	Remer,
Bonine,	Fey,	Rose,
Bottomley,	Goodrich,	Scott,
Breitung,	Gordon,	Shaw,
Brunson,	Harris,	Speed,
Buell,	Hoar,	Van Scoy,
Burns,	Howard,	A. Walker,
Cady,	Hoyt,	B. Walker,
Caplis,	Knapp,	Warren,
Drew,	Lewis,	Speaker,
Edwards,	Mitchell,	35

## MOTIONS AND RESOLUTIONS.

Mr. E. R. Miller offered the following :-

*Resolved*, That when this House adjourns this morning, it be until 10:30 to-morrow morning, to allow the gas-fitters time to put the fixtures in this hall ;

Which was adopted.

Mr. Grant offered the following :

*Resolved*, That the accompanying ordinance of the city of

Ann Arbor, relative to billiard tables, etc., and the licensing of the same, be entered at large on the daily journal, as an ordinance which has stood the test of the supreme court, as a guide to members in drafting bills.

Mr. Ripley moved as a substitute, the printing of 500 copies of the ordinance in sheet form, for the use of the House.

Mr. C. W. Watkins moved to lay the substitute on the table ;  
Which motion did not prevail.

The question being on the adoption of the substitute, the same was not adopted.

The question being on the adoption of the original resolution, the same was adopted.

The ordinance ordered printed is as follows :

#### CITY ORDINANCE NUMBER SEVENTY-TWO.

##### AN ORDINANCE RELATIVE TO BILLIARD TABLES, SALOONS, ETC.

*Be it ordained by the mayor, recorder, and aldermen of the city of Ann Arbor :*

SECTION 1. No person shall keep a billiard table, victualing house, saloon, or other house or place for furnishing meals, food, or drink, within the limits of the city of Ann Arbor, without obtaining a license as hereinafter provided.

SEC. 2. A keeper of a billiard table is one who owns, possesses, or keeps a billiard table whereon others are permitted to play.

SEC. 3. The recorder is hereby authorized and directed to issue a license in the name of the common council, to any person or persons, to keep a billiard table, on the payment to the city treasurer at the rate of five dollars per quarter in advance, payable when obtained and quarterly thereafter, on the first Monday in January, April, July, and October of each year, for each table proposed to be kept by such person or persons, and his or their executing a bond to the mayor, recorder, and aldermen of the city of Ann Arbor, in the sum of one hundred dollars, with two sufficient sureties, who shall justify in the

sum of five hundred dollars each, such justification to be in writing upon the back of such bond, to be signed by such sureties, and to be taken before a notary public or justice of the peace, conditioned that such person will faithfully observe the charter and ordinances of said city.

SEC. 4. The recorder is hereby authorized and directed to issue a license in the name of the common council to any person or persons to keep a victualing house, saloon, or other house or place for furnishing meals, food, or drink, on the payment to the city treasurer, at the rate of twenty-five dollars per quarter, in advance, payable when obtained, and quarterly thereafter, on the first Monday in January, April, July, and October, in each year, for each victualing house, saloon, or other house or place for furnishing meals, food, or drink, proposed to be kept by such person or persons, and his or their executing a bond to the mayor, recorder, and aldermen of the city of Ann Arbor, in the sum of two hundred dollars, with two sufficient sureties, who shall justify in the sum of one thousand dollars each, such justification to be in writing upon the back of such bond, to be signed by such sureties, and to be taken before a notary public or justice of the peace, conditioned that such person will faithfully observe the charter and ordinances of said city.

SEC. 5. No person licensed as aforesaid shall at any time permit or suffer any gaming for money or other value, on any billiard table kept by him, nor shall any person be guilty of betting or gaming for money or other value thereon, nor shall any person so licensed permit or suffer in or about the establishment where such table is kept by him, any drunkenness, quarrelling, fighting, or any other disorderly conduct, nor keep, permit, or suffer any such establishment to be open, or any playing on such table during any part of the first day of the week, called Sunday, or after the hour of eleven o'clock in the evening, or before the hour of four o'clock in the forenoon of any day, nor permit or suffer to play thereon or thereat any

minor or student after the parent, guardian, or teacher of the school or institution at which such student attends shall notify such keeper not to permit or suffer any such minor or student to play, nor shall any person licensed as aforesaid keep, permit, or suffer any such victualing house, saloon, or other house or place for furnishing meals, food, or drink to be open after the hour of eleven o'clock in the evening or before the hour of four o'clock in the forenoon of any day.

SEC. 6. Any violation of the provisions of this ordinance shall be punished by a fine, to be imposed by the justice of the peace trying the offender, not exceeding one hundred dollars, or in the discretion of said justice, by imprisonment in the Washtenaw county jail, or in the Detroit House of Correction, for a term not exceeding ninety days.

SEC. 7. An ordinance entitled "An Ordinance relative to Billiard Tables, Saloons, &c.," and all ordinances amendatory thereof, are hereby repealed, but such repeal shall not affect any act done, or proceeding commenced, or any penalty or fine incurred or imposed thereunder.

SEC. 8. This ordinance shall be published for two weeks successively in the Peninsular Courier and Family Visitant, a newspaper published in the city of Ann Arbor, and shall take effect at the expiration of fifteen days after the first insertion in said paper.

SILAS H. DOUGLAS, *Mayor*.

STEPHEN M. WEBSTER, *Recorder*.

RECORDER'S OFFICE, {  
Ann Arbor, Mich., January 25, 1872. }

I do hereby certify that the above is a correct and true copy of an ordinance passed by the Common Council of the city of Ann Arbor, on the twenty-fourth day of January, A. D. 1872.

In witness whereof, I have hereunto set my hand and seal, this 25th day of January, A. D. 1872.

S. M. WEBSTER, *Recorder*. [L. S.]

## GENERAL ORDER.

Thomas,

into committee of the whole, on the gen-

chair.

spent therein, the committee rose, and

made the following report:

the whole have had under consideration

bill:

13, entitled

section 19 of chapter 249 of the compiled

their chairman to report the same back

the recommendation that it be recommitted

on judiciary, with instructions to make the

bill applicable to the various cases that may

AARON PERRY, *Chairman*.

and committee discharged.

Mr. Kellogg,

occurred in the recommendation of the com-

the bill named, and it was recommitted to

judiciary, with instructions to amend the

make its provisions applicable to the various

under it.

by unanimous consent, offered the follow-

the use of the hall be given for the use of

Societal Society for this evening;

accepted.

Mr. Knapp,

returned.

*Lansing, Thursday, January 23, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the member from Branch, Mr. Welker.

Roll called: quorum present.

Absent without leave, Messrs. Climie, Cook, Knapp, Lamb, and Thompson.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency, the Governor, in writing.

Mr. Bartholomew asked and obtained leave of absence for Mr. Thompson indefinitely on account of sickness.

Mr. Sanderson asked and obtained leave of absence for Mr. Climie for the day.

Mr. Howard asked and obtained leave of absence for Mr. Lamb until Monday.

Mr. Noyes asked and obtained leave of absence for Mr. Cook for the day.

Mr. Zimmerman asked and obtained leave of absence for Mr. Knapp for the day.

#### PRESENTATION OF PETITIONS.

By E. J. Bonine: Petition of O. J. Dietrich and 597 others, asking for an appropriation of \$2,000 per annum for the State Pomological Society;

Referred to the committee on horticulture.

By Mr. Dinturff: Petition of John Anner, C. T. Power, A. Flanders, and 57 others, relative to the incorporation of the village of Fowlerville;

Referred to the committee on municipal corporations.

By Mr. Blackman: Petition of Chandler Richards, N. D. Richardson, F. M. Manning, and 107 others, asking an amendment to the charter of the village of Paw Paw;

Referred to the committee on municipal corporations.

By Mr. Greusel: Remonstrance of Hiram Walker, Thos.

12 others, against the passage of House b

the committee on municipal corporations.

: Memorial of the board of supervisors  
relative to the assessment of personal prop

a constitutional amendment be submitte

the of holding the annual township electi

Monday in April to the first Monday in Marc

the committee on ways and means.

eston: Petition of Amos Rathbone, Jno.

others asking for the passage of a law cor

the companies to pay full amount of insurance

;

committee on insurance.

: Petition of Eli B. Anderson and 77 other

the enactment of a law necessary for adequate pr

losses occasioned by railroad fires througho

committee on railroads.

Robertson: Petition of Elias Pardee and 12 oth

;

tion of W. R. Moore and 10 others, relative

;

tion of Gaylord Cory and 11 others, relative

;

tion of Lafayette Atwood and 14 others, relat

;

tion of James Griffis and 12 others, relative

;

tion of Laban Harrold and 11 others, relative

;

tion of G. W. Andrews and 12 others, relative

;

tion of Jacob Hurtle and 23 others, relative

;



Also: Petition of T. Hampton and 13 others, relative to same;

Also: Petition of Justis Gage and 12 others, relative to same;

Referred to committee on railroads.

#### REPORTS OF STANDING COMMITTEES.

By the committee on private corporations:

The committee on private corporations, to whom was referred

A bill to amend an act entitled "An act to authorize the formation of telegraph companies," approved March 26th, 1851, being chapter 80 of compiled laws of 1871, by adding thereto a new section,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. S. EGGLESTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoyt,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on private corporations:

The committee on private corporations, to whom was referred

A bill to amend section five of "An act to authorize the formation of telegraph companies," being section 2629, chapter 80, of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

be discharged from the further consideration.

E. S. EGGLESTON, *Chairman*

and committee discharged.

ordered printed, referred to the committee

placed on the general order.

committee on private corporations:

committee on private corporations, to whom was

authorize the township of Swan Creek to purchase

Swan Creek and Saginaw Bridge Company its bridge

across the Saginaw River, and to hold the same as a

report that they have had the same under con-

have directed me to report the same back

without amendment, and recommend that it

be discharged from the further consideration.

E. S. EGGLESTON, *Chairman*

and committee discharged.

then ordered printed, referred to the committee

and placed on the general order.

committee on private corporations:

committee on private corporations to whom was referred

change the name of Houghton county copper, in

manufacturing company,

report that they have had the same under con-

have directed me to report the same back

with the accompanying substitute therefor, recom-

the substitute be concurred in, and that the same

and ask to be discharged from the further con-

the subject.

E. S. EGGLESTON, *Chairman*

and committee discharged.

of Mr. Bottomley,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands :

The committee on public lands to whom was referred

Joint resolution authorizing the issue of a patent to Parson King upon school land certificate, numbered one thousand eight hundred and eighty-three,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. SESSIONS, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands :

The committee on public lands to whom was referred

Joint resolution to authorize the commissioner of the State Land Office, or the proper officer, to convey the southwest quarter of the northwest quarter of section number sixteen, in township number eight, south of range number five, east, to George W. Bliven, assignee of Primary School land certificate number five thousand nine hundred and sixty-one,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and respectfully suggest that the same be referred to the committee on judiciary.

WM. SESSIONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. F. Walker the joint resolution was referred to the committee on judiciary.

Committee on public lands :

Report on public lands, to whom was referred

any State Land Commissioner, Local Com-

missioner of the Board of State Land Road Com-

missioner buying or selling any order for State swamp

land designated "swamp land scrip,"

Report that they have had the same under con-

sideration and have directed me to report the same back to

the committee without amendment, and recommend that it do

not be discharged from the further consideration

WM. SESSIONS, *Chairman.*

Committee and committee discharged.

Report printed, referred to the committee of

the Board on the general order.

Committee on public lands :

Report on public lands, to whom was referred

any State Land Commissioner, Local Com-

missioner of the Commissioner of the State Land Office

the place of the restoration of reserved or forfeited

land in the market,

Report that they have had the same under con-

sideration and have directed me to report the same back to

the committee without amendment, and recommend that it do

not be discharged from the further consideration

WM. SESSIONS, *Chairman.*

Committee and committee discharged.

Report printed, referred to the committee of

the Board on the general order.

Committee on local taxation :

Report on local taxation to whom was referred

any State Land Commissioner, Local Com-

missioner of the tax roll of the township of Rubicon in

the town of Sharon, for the year 1872, and to extend the

term of the collection of the taxes therein,



suspended, and the bill was placed upon its order.

When read a third time and passed, a majority of the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Gordon,  
Grant,  
Green,  
Grensel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Noyes,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,

Mr. Robertson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Simpson,  
Smith,  
Speed,  
Striker,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

## NAYS.

Mr. Bonine,  
Two-thirds of all the members elect, the bill was passed to have immediate effect.

Committee on religious and benevolent societies:



concurrent in the amendments made to the bill.

It was ordered printed, referred to the committee on State affairs, and placed on the general order.

Committee on State affairs:

Report on State affairs, to whom was referred

section one of "an act authorizing any person

to run lines of electric telegraph in the State of

section 1608, in chapter 38, of the compiled

report that they have had the same under con-

sideration, and have directed me to report the same back to

the committee, and recommend that it do

pass, and be discharged from the further consideration

L. WALKER, *Chairman.*

Report and committee discharged.

It was ordered printed, referred to the committee on

State affairs, and placed on the general order.

Committee on State affairs:

Report on State affairs, to whom was referred

an act to prevent and punish the adulteration of milk and

to prevent the same therefrom, and to repeal an act entitled "An

act to prevent the adulteration of milk and to prevent the

sale of adulterated milk," approved March 31, 1871,

report that they have had the same under con-

sideration, and have directed me to report the same back to

the committee, and recommend that the accompanying amendments, recommend

the amendments be concurred in, and that the bill

do pass, and ask to be discharged from the

further consideration of the subject.

L. WALKER, *Chairman.*

Report and committee discharged.

Mr. Kellogg,

concurrent in the amendments made to the bill.



committee of

whom was

harter of the  
grounds for  
session laws of

under con-  
ame back to  
that it do  
consideration

*Chairman.*

committee of

OFFICE,  
22, 1873. }

in the office

12 of chap-  
formation of  
ns, cities, and

of the session  
session laws

BAGLEY.

## MESSAGE FROM THE SENATE.

announced the following:

SENATE CHAMBER,  
Lansing, January 22, 1873. }

of the House of Representatives:

fructed by the Senate to transmit the follow

. 18, entitled

g the payment of irregular or illegal taxes;

ped the Senate by a majority vote of all th

nd in which the concurrence of the House

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

read a first and second time by its title, an

committee on ways and means.

## NOTICES.

ave notice that on some future day he would as

ce

ad section 30, chapter 10, being section 496

ws of 1871, entitled "Board of Supervisors

on gave notice that on some future day he wou

roduce

end sections 15, 16, 17, 18, 22, 23, 24, chap

al statutes of 1846, and acts amendatory thereo

240, 1241, 1242, 1243, 1247, 1248, 1249, cha

al laws of 1871, entitled "Duties of Overseer

performance of labor and the application o

commissioner."

ave notice that on some future day he would as

ce

ing seals to be affixed to official documents.

kins gave notice that on some future day h

to introduce

property by

he would ask

tions to grant

ly he would

section of the

houn county.

day he would

e, being towns

at portion of 8

day he would

ys, of Lenawee

day he would

removing or

to contracts of

uture day he

the compiled

record.

uture day he

of the session

uniform assess-

return of taxes

section 1042 of

for the collection and preservation of the  
of this State, and the compensation to be paid

## INTRODUCTION OF BILLS.

previous notice having been given and leave  
introduced

a section three of chapter twenty-one, being  
compiled laws of 1871, in relation to the  
property and the collection and return of taxes

read a first and second time by its title, and  
committee on ways and means.

previous notice having been given and leave  
introduced

"An act relating to interest upon install-  
ment contracts upon written instruments," approved Feb-  
ruary 1, 1881, being section 1637 of the compiled laws of

read a first and second time by its title, and  
committee on judiciary.

previous notice having been given and leave  
introduced

an act entitled "An act to amend section  
of the revised statutes of 1846, and the act  
of 1858, approved January 29, 1858, relative to the  
of witnesses in cases in chancery," approved Apr-  
il 1, 1871, being section 5093 of the compiled laws of 1871.

read a first and second time by its title, and  
committee on judiciary.

Mr. J. L. Miller, previous notice having been given and  
introduced

section 3 of chapter 230 of the compiled  
being an act in relation to the punishment of  
and to restore certain words thereto.

its title, and

ten and leave

fykes, or any  
in any of the

its title, and

ten given and

provide for the  
bn 7442, chap-

by its title, and

been given and

provide for the  
criminal cases,"

and laws of 1871.

by its title, and

been given and

Central Methodist

second time by

ary.

be granted on

of an open

citizens of Detroit, of local topics claimed to be  
now pending before this House;  
Adopted.

Resolved the following resolution:

That the judiciary committee be requested to  
ascertain the meaning of article 11 of the Constitution, relative to  
township officers, and report to this House a  
convenience, whether section 647 of the compiled  
highway commissioners, does not conflict with  
provision above referred to; in other words  
provide for more than one highway  
commissioner in each township;  
Adopted.

Resolved the following:

That the committee on ways and means be and  
be instructed to report to this House the amount  
of the clerk of the judiciary committee, messenger,  
and his assistants, and keeper of the cloak-room;  
Adopted.

Resolved the following:

That the thanks of this House be and the same are  
extended to the State Pomological Society for their  
valuable fruit made to this House this morning;  
Adopted.

Resolved the following:

That there be added to the Rules of this House  
as Rule No. —, which shall read as follows:  
That every standing committee shall contain  
the objects of every bill (except bills of a local  
nature) and the reasons for the recommendations made by  
which report shall be printed in full in the

Mr. Grant the resolution was referred to the  
rules and joint rules.

on the Legisla-  
adjournment be  
at 10 A. M., to  
stitutions time

to lay over for

on the general

committee rose, and  
report:  
consideration

to increase the  
appropriation therefor;  
and have directed  
the House, asking  
exchange.

D. T. *Chairman.*

made to the bill  
order of third

afternoon.



### AFTERNOON SESSION.

**2 o'clock P. M.**

and was called to order by the Speaker.  
The members present.

Petition of Mrs. A. J. Riedell, aged 99 years  
 asking children to support their parents; calling  
 for houses in county poor-houses; asking for a law  
 to pay a tax for the benefit of charitable  
 asking the establishment of a home for  
 the aged;

committee on State affairs.

Number: Petition of H. H. Bardwell, Charles A. Jones, and 130 others, asking that the office of superintendent of schools be abolished ;

**House of Representatives** committee on education.

**• The committee on municipal corporations:**

The amendments on municipal corporations, to whom wa

Amended sections 9 and 27 of "An act to incorporate the State of Iowa," approved March 29, 1871, and add a new section No. 94,

REPORT that they have had the same under con-  
sideration, and have directed me to report to the House that it  
be referred to the Committee on the Journal of the House that this bill was intro-  
duced without previous notice, notice not having been given on  
the day of its introduction.

The Constitution, section 16, article 15, provides that  
 "notice of any application for an alteration of the  
 name of a corporation shall be given in such manner as  
 may be required by law."



section 3455  
operative that  
to the intro-

the constitu-  
an act amend-  
law without  
respectfully  
shall proceed  
or whether  
house.

*Chairman.*

he bill forth-

to whom was

to incorporate  
being act num-  
section to stand

one under con-  
same back to  
House, and ask  
of the subject.

*Chairman.*

who had intro-

referred

of the board of supervisors of Isabella county  
 of railroad lands,  
 report that they have had the same under c  
 have directed me to report the same back to  
 commend that the same be referred to the c  
 ways and means and railroads jointly.

WM. SESSIONS, *Chairman*

reported and committee discharged.

of Mr. Hoyt,

was referred to the committees on ways  
 roads jointly.

#### NOTICES.

gave notice that on some future day he wo  
 introduce

empt the county of Hillsdale from all the pro  
 act entitled "An act to provide for county supe  
 schools and to define the duties of township sch

gave notice that on some future day he wo  
 introduce

establish and regulate the office of superintend  
 ing.

#### GENERAL ORDER.

of Mr. Grant,

went into committee of the whole, on the g

W. Drington in the chair.

time spent therein, the committee rose,

chairman, made the following report:

committee of the whole have had under considera

entitled bills:

Bill No. 16, entitled

mend section 27 of an act entitled "An ac

providing for the incorporation of rail

ction 2431 of

of the compiled  
eld by justices

have directed  
House, asking  
age.

under considera-

bonds hereto-

of Mt Clemens

have directed  
he House, and

under considera-

to confirm the  
approved April  
compiled laws of

same back to

, *Chairman.*

ed on the order

concurred in the amendments made to the first-named bills by the committee, and they were placed on the third reading.  
 Mr. Howard,  
 concurred in the recommendation of the committee to the fifth-named bill, and  
 Mr. Shaw,  
 consideration of the bill was indefinitely postponed.  
 Mr. Goodrich,  
 adjourned.

*Lansing, Friday, January 24, 1878.*

The House met pursuant to adjournment, and was called to order by the Speaker.  
 Mr. Welker, member from Branch, Mr. Welker.  
 quorum present.  
 Mr. Chafey, without leave, Mr. Chafey.  
 Mr. Chafey asked and obtained leave of absence for the day.

#### PRESENTATION OF PETITIONS.

Mr. Welker: Petition of George Brainard and 38 others, in support of the State Pomological Society;  
 the committee on horticulture.  
 Mr. Miller: Petition of Stephen Rossman and others, for the same purpose;  
 reference.  
 Mr. Geeler: Petition of A. A. Darling and 50 others, in support of the same purpose;  
 reference.



call your attention to some alarming statistics on this subject:

Dr. H. C. Howard, noted for his caution as a naturalist, in his first report as Entomologist of Massachusetts, made the statement "that from noxious animals and insects we as a nation lose \$500,000,000 annually."

Dr. D. Walsh, than whom there is no one more correct, estimated the loss to the State of New York, that great State, by the Hessian fly, at \$300,000,000. According to the report of the New York State Entomologist, the wheat crop by the Hessian fly is estimated at \$300,000,000.

Dr. H. C. Howard estimates the loss to Illinois by the corn and wheat crop by the Hessian fly, at \$73,000,000.

Dr. H. C. Howard, Entomologist of Missouri, estimates the loss to that State by the Hessian fly, at \$240,000,000.

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Dr. H. C. Howard, Entomologist of Missouri, estimates the loss to that State by the Hessian fly, at \$240,000,000.



insects is requisite, embracing structure, habits, and life. Thus we may hope that a live entomologist, cultured in his science, will as he continually studies these smallest, yet mightiest of our foes, discover remedies now unknown, as well as improve those now in use.

Quoting from Dr. Packard: "I could enumerate a hundred species of insects which prey upon our cereals, as many which infest our gardens, and a few species which ravage our grain. There are species which attack the fruit of the apple tree, the pear, the plum, the cherry. About seventy-five species of insects are found upon the apple tree, and no less than thirty upon the plum, pear, and cherry. From Cook's report, 'the fruit and fruit trees of our State are in the fingers,' and the same may be said of our grass and cereals, those pests which are pillaging our gardens, the grape weevil, and pear-borer, are doing our State, as yet but little harm. The cabbage butterfly, the Colorado potato beetle, with scores of others, are doing our State, unless vigorous action be taken. Now, with a State entomologist, warning them of these sure and certain destruction which can alone be prevented by action. It were far easier to conquer them when once they are upon our people, and the execution of a concert of action. One man cannot study every insect pest, but many men are heedless, the evil which the pomologists can bear





give many quotations on this subject, commencing with the above mentioned States, also desiring that Michigan might be numbered with them. I think it will suffice.

They say positively that destructive insects are increasing, and that they destroy as great a quantity of fruit as is sown. The transmission of letters to the common people without a charge. *—New York Tribune.*

Michigan stands high in educational matters, and fruit growing States in the union. It is no doubt, result in the appointment of entomologists whose exertions would save the State from a generous salary."—*Prairie Farmer*.  
Michigan farmers and fruit growers of Michigan, to whom they can apply for advice. *—Western Rural.*

They call attention of your honorable committee that all Europe is in wild excitement over the destruction of all their magnificent vine crops by an almost microscopic grape-vine louse. Prizes offered, and when they are not, they are waiting for a remedy.

Europe is startled by the presence of the grape louse. The presence of many scores, with their thousands, awaken us to the wise policy of preventive measures.

Members of your honorable bodies, for the improvement of the general support, of a State entomological commission, in duty bound, will ever pray.

#### REPORTS OF STANDING COMMITTEES

Committee on towns and counties:

Committee on towns and counties,

er, Granton,  
of Clayton in

under con-  
same back to  
recommend-  
that the bill,  
ged from the

*Chairman.*

to the bill

the committee

was referred  
the county

under con-  
same back to  
and that it do  
consideration

*Chairman.*

committee of

was referred

regular taxes,  
ered illegal by  
in any sense  
nds, the party

tax is entitled to sue and recover it back if they have paid it voluntarily and without protest. The first section of the bill is to protect officers and their sureties from setting up an affirmative defense of voluntary payments, and of the second section is to protect officers and their sureties from setting up an affirmative defense of proceedings as a defense to suits brought to recover taxes collected by them. Your committee therefore report that they have been instructed by the assembly to pass the bill without amendment, and refer it to the committee on ways and means.

C. B. GR

and committee discharged. Referred to the committee on ways and means.

Committee on ways and means: The committee on ways and means, who have the honor to report, for which the clerk of the assembly, keeper of the cloak-room, and the messenger-boys, to draw pay, respectfully submit the following list as follows:

Clerk of the judiciary  
Assistant fireman.....  
Keeper of cloak-room

#### MESSENGER-BOYS.

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....



and wholesome water, and to provide for the management of the Detroit water-works, by 14, 1853,

report that they have had the same under consideration, and have directed me to report the same back to the committee without amendment, and recommend that it do not be discharged from the further consideration of the committee.

HENRY A. SHAW, *Chairman.*

and committee discharged.

ordered printed, referred to the committee on judiciary, and placed on the general order.

committee on judiciary:

on judiciary, to whom was referred to jurors,

report that they have had the same under consideration, and have directed me to report the same back to the committee without amendment, and recommend that it do not be discharged from the further consideration of the committee.

H. A. SHAW, *Chairman.*

and committee discharged.

Mr. Howard,

said on the table.

committee on judiciary:

on judiciary, to whom was referred

and section 3 of chapter 4 of the revised laws of 1858, being section 7176 of the session laws of 1858, being section 7176 of the session laws of 1871, entitled "An act for the punishment of jurors,"

report that they have had the same under consideration, and have directed me to report the same back to the committee without amendment, and recommend that it do not be discharged from the further consideration of the committee.

H. A. SHAW, *Chairman.*

and committee discharged.



7:

to whom was referred

of chapter 249 of the compilation  
against chastity, morality, &c.

have had the same under  
to report the same back to  
ing substitute therefor, rec  
e concurred in, and that  
e discharged from the fur

*SPEED, Acting Chairman*  
ee discharged.

ie adoption of the substi

nted, referred to the commi  
general order.

7:

to whom was referred

d "An act relating

e upon written

), being section 16

have had the same under  
to report the same back to  
on, and ask to be dischar  
of the subject

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of act



1871, rela-

under con-  
me back to  
that it do not  
consideration

*Chairman.*

MEMBER,  
JANUARY 23, 1873. }

the follow-

legislature  
returned until

concurrence

THE,  
*the Senate.*

the

striking out  
February  
"28" and

SENATE CHAMBER,  
Lansing, January 23, 1873. }

*the House of Representatives :*

instructed to return to the House the following  
resolution :

Resolved (Senate concurring), That when the legislature  
shall adjourn, the 24th inst., such adjournment be until  
the first day of February next, at 10 o'clock, A. M.  
The committee appointed to visit the State institution  
shall perform said duties.

Of which the Senate has non-concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate*

Mr. Grant,

was laid on the table.

#### NOTICES.

Mr. Grant gave notice that on some future day he would  
introduce

sections 9 and 27 of "An act to  
amend," approved March 29, 1871  
the session laws of 1871, and to add a  
section No. 94.

Mr. Grant gave notice that on some future day  
he would introduce

sections 16 and 19, of chapter 21, of the  
session laws of 1871, relative to the assessment of property

#### INTRODUCTION OF BILLS.

Previous notice having been given and leave  
being granted, introduced

sections 16 and 22 of an act  
for the regulation thereof, being sec-  
tion 266 of the compiled laws of 1  
and had a first and second time by i  
committee on State prison.

en and leave

the compiled  
record.

its title, and

en and leave

rintendents

its title, and

en and leave

provide a tax

its title, and

en and leave

removing or  
to contracts

its title, and

en and leave

documents.

its title, and

en and leave being

their fran-

its title, and

previous notice having been given and leave  
produced

section 30, chapter 10, being section 496 of  
of 1871, entitled "Boards of supervisors,"  
read a first and second time by its title, and  
committee on towns and counties.

### THIRD READING OF BILLS.

2, entitled

section 127 of chapter 178 of the compiled  
an act relative to courts held by justices of

rd time and was not passed, a majority of all  
not voting therefor, by yeas and nays, as

### YEAS.

Mr. Haire,  
Harris,  
Haywood,  
Hosner,  
E. R. Miller,  
Mitchell,  
Rose,  
Shaw,

Mr. Speed,  
A. Walker,  
B. Walker,  
L. Walker,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Withington, &c.

### NAYS.

Mr. Fey,  
Garfield,  
Garvelink,  
Gordon,  
Greusel,  
Hertzler,  
Hewitt,  
Hoar,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
R. O. Miller,

Mr. Rich,  
Ripley,  
Robertson,  
Sanderson,  
Scott,  
Sessions,  
Simpson,  
Smith,  
Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
F. Walker,  
J. Walker,  
Walton,  
Welch,  
Welker,

est,  
heeler,  
xson,  
ammerman,

65

excused from

" An act to  
of railroad  
tion 2431 of

g of the vote

to the com-

bonds hereto-

ity of all the  
as follows:

pley,  
obertson,  
ose,  
nderson,  
ott,  
ssions,  
haw,  
mpson,  
eed,  
riker,  
omas,  
n Aken,  
Walker,

Mr. Kellogg,  
Kipp,  
Knapp,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Priest,  
Rich,

Mr. B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixon,  
Zimmerman,  
Speaker,

## NAYS.

to.  
In yeas and nays, on the report of Mr. Wheeler,  
yeas and nays, two-thirds of all the members elect, the bill was  
passed, to have immediate effect.  
Chapter No. 18, entitled  
to legalize the tax roll of the village of Mt Clemens,  
72,  
third time and passed, a majority of all the members  
yeas and nays therefor, by yeas and nays, as follows:

## YEAS.

Mr. Grant,  
Green,  
Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewett,  
Hoar,  
Hosner,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,

Mr. Robertson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Van Aken,  
A. Walker,  
B. Walker,

Walker,  
Walker,  
Walker,  
alton,  
arren,  
W. Watkins,  
E. Watkins,  
elch,  
elker,  
est,  
eeler,  
thington,  
ason,  
merman,

86  
0

that, the bill was  
of the whole  
entitled  
patent to Par-  
that the same  
beneficiary.  
laws of 1871,  
entitled an act  
circuit courts,  
proved March  
of 1871;  
judiciary.

Mr. Baldwin moved that the House go into committee on the general order ;  
 The motion did not prevail.  
 Mr. Baldwin offered the following communication from Mr. Baldwin, which was ordered spread on the table.

DETROIT, January 20, 1873.

Mr. Baldwin,  
 I have just been informed that my name was used in connection favoring the passage of a bill now before the House, not only doing away with what are known as the poll taxes, but also placing the power in the hands of the people to levy taxes of all kinds and for all purposes.  
 I have not my name to but one petition or paper on the subject, and that I expressed my opinion, which is as follows:

I am in favor of abolishing what we term citizen's taxes. I believe it to be wise to allow the people the right to vote on all questions of taxation for extraordinary purposes.

The above is written for the sole purpose of correcting a misimpression which you seem to have as to the use of my name.

Very respectfully yours,

H. P. BALDWIN

Mr. Baldwin, of Mr. Lockwood,

The House took a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

A quorum present.

By unanimous consent, offered the following resolution:

Resolved, That the members of this House did grant the use



inst., to citi-  
local topics  
this House;

agree upon  
mentioned;

citizens of  
for the pur-

for Mr. Wix-

for Mr. Kipp

for Mr. Priest

on the gen-

rose, and

consideration

provide for the

April 17, 1871,

sections 3, 5, 6, 7,

thereof, and

that House,

of the whole have also had under consideration the following entitled bills:

Bill No. 20, entitled

to amend section 3611, being section 31 of chapter 18 of the compiled laws of 1871;

Bill No. 21, entitled

to amend section 2 of "An act for the more effectual prevention of cruelty to animals," approved April 15, 1872, chapter 254 of the compiled laws of 1871;

Bill No. 22, entitled

to revise the assessment roll of the township of Wexford, for the year 1872;

Bill No. 23, entitled.

to revise the assessment roll of the township of Herkimer, for the year 1872;

Andry amendments thereto, and have directed the committee to report the same back to the House, asking for their opinion, and recommend their passage.

of the whole have also had under consideration the following entitled joint resolution:

Joint resolution No. 4, entitled

relating to submitting an amendment to the constitution authorizing the employment of a chaplain, and religious services in the Legislature, and amendments thereto, and have directed the committee to report the same back to the House, and recommend their passage.

of the whole have also had under consideration the following entitled bill:

Bill No. 18, entitled

relating to the payment of irregular or illegal taxes; and amendments thereto, and have directed the committee to report the same back to the House, asking for their opinion, and recommend its passage.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

committee

made to the  
they were

placed on

discharge  
consideration of

upon dogs, and to  
upon dogs,"  
1180, 1181,  
number 23 of the

State affairs,  
house, chang-  
on dogs to

by unani-

to whom  
President of the  
are to visit

under con-  
members of the  
the 30th inst.  
Chairman.

Mr. West,  
concurred in the recommendation of the committee on insurance:  
committee on insurance by unanimous consent reported  
committee on insurance, to whom was referred  
to provide for an insurance on the State Library,  
reported that they have had the same under consideration  
have directed me to report the same back  
without amendment, and recommend that it  
be discharged from the further consideration.

C. W. WATKINS, *Chairman*

ordered and committee discharged.  
ordered printed, referred to the committee  
placed on the general order.  
asked and obtained leave of absence for Monday  
Tuesday.  
asked and obtained leave of absence for Monday  
Tuesday next.  
asked and obtained leave of absence for himself  
Tuesday next.  
by unanimous consent gave notice that on so  
would ask leave to introduce  
and sections 5657 and 5658 of the compiled laws  
sections 7 and 8 of an act entitled "An act  
the appointment of a State reporter," approved  
by unanimous consent gave notice that on so  
would ask leave to introduce  
and section 4 of an act entitled "An act relating  
married women," approved February 13, 1898  
by unanimous consent announced the following

OFFICE,

1873.

in the office

ditor Gen-  
g apparatus,

AGLEY.

ess until 7½

;

morning.

25, 1873.

was called to

.

Lewis, and Zim-

ence for Mr.

for Mr. Hoar

for Mr. Speed

for himself

Mr. Watkins asked and obtained leave of absence until Wednesday next.

Mr. [unclear] asked and obtained leave of absence for him [unclear] day next.

Mr. [unclear] asked and obtained leave of absence Monday noon.

It was moved that when the House adjourn it be until Friday next.

Mr. [unclear] demanded the yeas and nays.

The motion was seconded, and the motion did not prevail. The yeas, as follows:

## YEAS.

Mr. Garvelink,  
Howard,  
Markey,

Mr. Pierce,  
Rose,  
Speed,

## NAYS.

Mr. Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hosner,  
Hoyt,  
Kellogg,  
Knapp,  
Lockwood,  
Luce,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Rich,

Mr. Ripley,  
Robertson,  
Sanderson,  
Sessions,  
Shaw,  
Smith,  
Striker,  
Thomas,  
Van Aken,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welker,  
West,  
Wheeler,  
Witlington,  
Speaker,

for himself

for Mr.

for Mr.

for him-

himself

himself

himself

for Mr.

himself

for himself

for himself

and 13

Wake, Kent

John

division of

notice hav-

incorporate

act num-

session laws of 1871, and to add a new section number 94.

as read a first and second time by its title, the committee on municipal corporations.

#### REPORTS OF STANDING COMMITTEES.

Committee on municipal corporations:

Committee on municipal corporations, to whom

recommend sections 9 and 24 of an act to incorporate, approved March 29, 1871, being act No. 1 of the laws of 1871, and add a new section, to state

my report that they have had the same under consideration, and have directed me to report the same back without amendment, and recommend that the bill be discharged from the further consideration of the committee.

J. J. SPEED, *Chairman*

Accepted and committee discharged.

As ordered printed, referred to the committee on the general order.

Committee on military affairs:

Committee on military affairs to whom was referred the report of the Governors' messages relating to the military department;

recommend sections 7, 8, 9, 10, 30, 31, 38, 39, 42, 64

to repeal section 50 of an act entitled "An

organization of the military forces of the State

approved January 18, 1862, being sections 834,

858, 865, 866, 869, 877, 891, 892, chapter 1

laws of 1871, and to add new sections there

my report that they have had the same under

adequacy of the present law to provide for an org



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ferred to them  
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 to the State  
 of such aid.  
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 e it has the  
 warrant of  
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 adment, and  
 inged from the

*Chairman.*

committee of

was referred  
 "An act to  
 of the State  
 of the com-

under con-  
 same back to  
 that it do  
 consideration

*Chairman.*

ordered printed, referred to the committee and placed on the general order.  
 Committee on roads and bridges:  
 Committee on road and bridges, to whom was referred a bill to amend an act No. 47, of the session laws of 1850, to incorporate the Plymouth Plank Road Company, passed March 5, 1850,  
 report that they have had the same under consideration and have directed me to report the same back without amendment, and recommend that it be discharged from the further consideration of the House.

JOHN WALKER, *Chairman*

Adopted and committee discharged.  
 ordered printed, referred to the committee and placed on the general order.  
 Committee on ways and means:  
 Committee on ways and means, to whom was referred a bill to amend section 3 of chapter 21, being section 96 of the laws of 1871, in relation to the assessment of the collection and return of taxes thereon,  
 report that they have had the same under consideration and have directed me to report the same back without amendment, and recommend that it be discharged from the further consideration of the House.

C. B. GRANT, *Chairman*

Adopted and committee discharged.  
 Message of Mr. Grant,  
 laid on the table.  
 Committee on towns and counties:  
 Committee on towns and counties to whom was referred a bill to organize the township of Greenwood,  
 report that they have had the same under consideration and have directed me to report the same back without amendment, and recommend that it be discharged from the further consideration of the House.

consideration

*Chairman.*

committee of

was referred

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come back to

that it do

consideration

*Chairman.*

committee of

referred

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*Chairman.*

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provide for fees

the same being section 74  
1871,

had the same under c  
report the same back  
amendment, recomme  
red in, and that the  
to be discharged from

A. SHAW, *Chairman*  
scharged.

lements made to the bil

referred to the commi  
ral order.

om was referred  
the session laws of 18  
of the revised statutes  
stices of the peace,"

had the same under c  
report the same back  
commend that it do p  
urther consideration of

A. SHAW, *Chairman*  
scharged.

erred to the committe  
order.

hom was referred Ser

g of judgments in acti  
eal estate,

had the same under c  
o report the same back

that it do  
consideration  
chairman.  
whole, and

to provide for fees  
being sec-  
1,  
under con-  
back to  
commend-  
at the bill,  
d from the  
chairman.

to the bill  
committee

referred  
and con-  
game, and  
old fowl,"  
under con-  
back to  
that it do  
consideration  
chairman.

Accepted and committee discharged.

was ordered printed, referred to the committee, and placed on the general order.

Committee on State affairs:

Committee on State affairs, to whom was referred to recommend an act entitled "An act for the protection of females,"

report that they have had the same under consideration and have directed me to report the same back without amendment, and recommend that it be discharged from the further consideration of the House.

L. WALKER, *Chairman*

Accepted and committee discharged.

was ordered printed, referred to the committee, and placed on the general order.

Committee on State affairs:

Committee on State affairs, to whom was referred to repeal an act entitled "An act to provide for a

report that they have had the same under consideration and have directed me to report the same back without amendment, and recommend that it be discharged from the further consideration of the House.

L. WALKER, *Chairman*

Accepted and committee discharged.

was ordered printed, referred to the committee, and placed on the general order.

#### MESSAGES FROM THE SENATE.

Speaker announced the following:

SENATE CHAMBER,

Lansing, January 24, 1878.

Speaker of the House of Representatives:

Am instructed by the Senate to transmit the following resolution:

heretofore  
 all of honor  
 tary fund;  
 of all the  
 the Senators  
 in all of  
 asked.

ONE,  
 the Senate.  
 time by its  
 rs.

HER, {  
 1873. }

the follow-

of all the  
 the Senators  
 all of which

ONE,  
 the Senate.  
 title, and

he would  
 of 1871,  
 constructing a

the townships of Muzzy and Linn in the county of Mecosta, State of Michigan, and making an appropriation of \$1000 highway tax to aid in construction of a road known as the Muzzy and Linn State road. Approved April 17, 1871.

Mr. [Name] gave notice that on some future day he would introduce

to amend section 3 of an act entitled "An act to provide for the appointment of a State Reporter," the same is contained in chapter 180, of the compiled laws of 1871.

Mr. [Name] gave notice that on some future day he would introduce

to amend section 97 of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved April 6, 1871.

Mr. [Name] gave notice that on some future day he would introduce

to amend sections 79, 80, 81, and 120 of an act to provide for a uniform assessment of property and for the collection and return thereof," approved April 6, 1871, being sections 1045, 1046, 1047, and 1086 of the compiled laws of 1871.

Mr. [Name] gave notice that on some future day he would introduce

to provide for the appraisal and sale of the balance of the land in town two north, of range three west, in the county of Mecosta.

Mr. [Name] gave notice that on some future day he would introduce

to authorize and provide for the construction of a road in the county of Mecosta, to be called and known as the Muzzy and Altona State road.

Mr. [Name] gave notice that on some future day he would introduce



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 1198,

would ask

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would ask

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 county.

and leave

chapter 169

4726, 4728,

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 thereof.

title, and

introduced

and Reed's  
 county.

title, and

and leave

creation of the  
 location to be

title, and

and leave

the session

...led "An act to provide for the uniform assessment and for the collection and return of taxes," approved April 6, 1869, and being section 1042 of the laws of 1871.

...read a first and second time by its title, and referred to the committee on ways and means.

...previous notice having been given and leave being granted, introduced

...the name of Maggie E. Lullig to Lenn

...read a first and second time by its title, and referred to the committee on State affairs.

...previous notice having been given and leave being granted, introduced

...and section four of an act entitled "An act to amend the rights of married women," approved Feb. 13,

...read a first and second time by its title, and referred to the committee on State affairs.

...previous notice having been given and leave being granted, introduced

...to provide for the propagation and protection of the various kinds of fish in Brace Lake, of Calhoun county.

...read a first and second time by its title and referred to the committee on fisheries.

...previous notice having been given and leave being granted, introduced

...in certain territory from the present township

...in the counties of Otsego and Antrim, and to divide the same into a separate township, by the name of

...read a first and second time by its title, and referred to the committee on towns and counties.

...previous notice having been given and leave being granted, introduced



YEAS.

gleston,  
rfield,  
rdon,  
een,  
aria,  
ywood,  
witt,  
sner,  
yt,  
napp,  
ce,  
R. Miller,  
C. Miller,  
tchell,  
yes,  
Jell,  
ry,

Mr. Rich,  
Robertson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Striker,  
Thomas,  
Van Aken,  
A. Walker,  
B. Walker,  
C. W. Watkin,  
Welker,  
Wheeler,  
Withington,  
Speaker,

NAYS.

more,  
ndrich,  
llogg,  
kwood,  
ley,

Mr. Smith,  
Van Scoy,  
J. Walker,  
L. Walker,  
Warren,

eeing to the title,

lomew,

adding thereto the words "r

then agreed to.

l,

of "An act for the more effect  
nimals," approved April 15, 18  
254 of the compiled laws of 18  
d, pending the taking of the v

nd the bill by inserting after  
tion 2, the word "turkey;"



Mr. Haywood,  
Hewitt,  
Hosner,  
Hoyt,  
Kellogg,  
Knapp,  
Lockwood,  
Luce,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Noyes,  
O'Dell,

NAYS.

Mr. Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
C. W. Watkins,  
Welker,  
West,  
Wheeler,  
Speaker,

62

0

23, entitled

the assessment roll of the township of Hen-

ry, in the county of Wexford for the year 1872,

read and passed, a majority of all the

present voting therefor, by yeas and nays, as fol-

YEAS.

Fey,  
Garfield,  
Gilmore,  
Goodrich,  
Gordon,  
Green,  
Haire,  
Haywood,  
Hewitt,  
Hosner,  
Hoyt,  
Kellogg,  
Knapp,  
Lockwood,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Noyes,  
O'Dell,  
Perry,  
Rich,

Mr. Ripley,  
Robertson,  
Rose,  
Sanderson,  
Sessions,  
Shaw,  
Smith,  
Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
C. W. Watkins,  
Welker,  
West,  
Wheeler,  
Speaker.

64

0

NAYS.

to interest  
instruments,"  
of the com-

Committee of

second and  
of Genesee,  
and the time  
;

committe of

examinations  
the com-  
Dumb, and  
to employ

Librarian  
and House  
for 1872 ;

until 9 A. M.

10 A. M. ;

Mr. Warren demanded the yeas and nays on the adoption of the motion, which was seconded, and the motion did not prevail, as follows:

## YEAS.

Mr. Gilmore,  
Goodrich,  
Mitchell,  
Rose,

Mr. Sanderson,  
Shaw,  
Striker,  
Warren,

## NAYS.

Mr. Garfield,  
Gordon,  
Green,  
Haire,  
Harris,  
Haywood,  
Hewitt,  
Hosner,  
Hoyt,  
Kellogg,  
Knapp,  
Lockwood,  
E. R. Miller,  
R. C. Miller,  
O'Dell,  
Rich,

Mr. Ripley,  
Sessions,  
Thomas,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
C. W. Watkins,  
Welker,  
West,  
Wheeler,  
Speaker,

Mr. Warren moved that a bill entitled "An act to amend section 5426, chapter 187 of the compilation of laws, relative to executions issued by justices of the peace," be passed.

On a general order, be ordered printed ;  
The motion prevailed.

## GENERAL ORDER.

Mr. Warren, on motion, was appointed into committee of the whole on the general order.  
The chair.  
At the same time spent therein, the committee rose, and Mr. Warren, chairman, made the following report:



consideration

its in actions

have directed  
House, and

for considera-

ting of St.  
ty of Hills-  
week, and to  
from six to

same back to  
recommitted  
eties;

ter considera-

"An act to  
ing, smelting,  
wer, or other  
purposes,"  
of the com-

have directed  
House, asking

ter considera-

the laws pre-

incorporation of railroad companies, being section 35 of the compiled laws of 1871, and chapter No. 43 of the session laws of 1872, approved.

Some progress therein, but not having gone far enough, have directed their chairman to report the same and ask leave to sit again.

J. T. RICH, *Chairman.*

Read and committee discharged.

Read bill was placed on the order of third reading.

Mr. Van Aken,

concurred in the recommendation of the committee.

Reported to the second-named bill, and it was recommitted.

Committee on religious and benevolent societies.

Mr. Warren,

concurred in the amendments made to the third-named bill.

Reported to the committee, and it was placed on the order of third reading.

Mr. Ferguson,

concurred in the amendments made to the third-named bill.

Reported to the committee to sit again.

Mr. Green,

asked a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

2 o'clock P. M.

Session called and was called to order by the Speaker.

Quorum present.

Mr. Aker asked and obtained leave of absence for Mr. Knight.

Mr. Knight, on account of sickness.

Mr. Aker and obtained leave of absence for Mr. Bonin.

Mr. Bonin, on account of sickness.

Mr. Aker and obtained leave of absence for Mr. Cook.

Mr. Cook, on account of sickness.

of the city  
committee of the  
and Trunk  
for the ship-

ade, held on  
amble and

experienced  
aining from  
movement  
its commer-  
and suffi-

valuable  
furnish such

petition the  
from its body  
matter, and to  
relief in the  
copies hereof

*President.*

James Van  
amendment of  
plats and for

*State of the State of Michigan :*  
signed, citizens, real estate owners in the county would respectfully represent to your honor the following facts in regard to the recording of the maps in said county, and ask from you that attention and consideration you may think they deserve. We find from an examination of these records, that there has been filed in the office of the register of deeds in this county one hundred and thirty-eight maps or plats. The rule has been, and is now, to attach the maps to the books of the office by pasting them usually on the back of the maps. These maps have been executed on various kinds of material, some on cotton and linen cloth, many of them, however, on the most important, on the poorest of material. Those who filed the maps taking no thought of their preservation and perpetuation, many of them are much worn and defaced, and to some extent some are already in pieces, and the pieces are scattered in different books of the office. The necessity for their preservation and perpetuation is of vital importance, as they are the only legal record of town and village property, in which the description of a large amount of real estate in the county is based, and in the mutilation of which, no lands described as being in such plats could be positively fixed or located. The manner of filing and recording town and village maps is open to fraud and wrong, and in the minds of petitioners there have been instances in which the maps on file have been mutilated by designing persons, unknown to the register, and may result to the injury and damage of the public. And we also find in numerous instances that maps, either through ignorance or carelessness, have been neglected to follow the requirements of the statute in this county to a certain extent is true.

our honor-  
to preserve  
to legalize any  
descriptions.  
fully and  
and also to  
plats, and  
provide for  
under them

MEET,

for four years.

Judge of Probate.

DR,

Recorder of Deeds.

Jan. 1, 1873.

WILLIAM,

Attorney.

LAN.

ON.

and Recorder.

Merchant.

MARK,

Oil Engineer.

N.

MISERY.

TH.

HEWSON.

as referred

of the "State

## JOURNAL OF THE

report that they have had t  
have directed me to report  
without amendment, and rec  
be discharged from the fu

J. P. H

ted and committee discharg  
ordered printed, referred t  
placed on the general order.  
committee on judiciary:

ee on judiciary, to whom w  
and sections 5657 and 5658 c  
sections 7 and 8 of an act  
appointment of a State l

report that they have had t  
have directed me to report  
without amendment, and rec  
be discharged from the fu

HENRY A. SI

ted and committee discharg  
ordered printed, referred t  
placed on the general order.

### INTRODUCTION OF BILLS

previous notice having bee  
introduced

provide for the establishment  
of an Asylum for the Ins  
read a first and second tin  
committee on asylum for the  
ker, previous notice havin  
introduced

pend section 1 of an act e  
recording of town plats, a

pg section

title, and

An act to  
smelting,  
or other  
purposes,"  
the com-

of all the  
follows:

Y,  
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Aken,  
Soy,  
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Watkins,  
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"2847,"





the gen-

group, and

consideration

laws for

section 2440 of

acted by act

March 29, 1872;

subicon in

the time

directed

asking

considera-

authorize the

June 26, 1851,

by adding

;

purchase

its bridge

as a toll

commissioner,

## JOURNAL OF THE

owner of any State road, or to the land road commissioners, for State swamp lands, or scrip ;”

and no amendments thereto, and report the same back to the Senate.

The yeas of the whole have also passed the following entitled bill :

Bill No. 37, entitled  
To legalize the tax roll of the township, for the year A. D. eight hundred and eighty-eight  
To extend the time for the assessment of the township ;

Resolved their chairman to report the same with the recommendation that it do pass.  
Committee on local taxation.

J. T.

Reported and committee discharged.  
Report of Mr. Ferguson,  
concurring in the amendments to the bills by the committee,  
passed by third reading.

Fourth, and fifth named bills,  
passed by third reading.

Report of Mr. Ferguson,  
concurring in the recommendations to the sixth-named bill, and  
committee on local taxation.

Report of Mr. Goodrich,  
and adjourned.



Pr: Petition of Chas. E. Bailey, Silas F. Judson and 19 others, asking for the enacting of such a law as will compel all persons running logs or timber in the Benzie county, to keep an open channel of water from the mouth to a certain point.

The committee on lumber asked and obtained leave of absence for the day.

The committee on lumber asked and obtained leave of absence for the day.

Mr. Watkins asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

Mr. Baker asked and obtained leave of absence for the day.

for Mr. Fey

for himself

for him-

presence for

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was referred

at township

entrim, and

the name of

under con-

come back to

that it do

consideration

*Chairman.*

committee of

whom was

relative to

February 5,

the foregoing

2850, and

report that they have had the same under con-  
sideration. The committee have directed me to report the same back  
without amendment, and recommend that it  
be discharged from the fur-

WM. HARRIS

accepted and committee discharged.  
Ordered printed, referred to  
the place on the general order.  
Committee on roads and bridges:  
The committee on roads and bridges, to wit  
the committee on roads and bridges, to wit  
section two of the compi-  
lished the several townships  
tax, or to borrow money to

report that they have had the  
same under consideration. The committee have directed me to report  
without amendment, and recom-  
mend that it be discharged from the f-  
ect.

JOHN WALKER

accepted and committee discharged.  
Ordered printed, referred to  
the place on the general order.  
Committee on roads and bridges:  
The committee on roads and bridges, to wit  
the committee on roads and bridges, to wit  
section eighteen of chap-  
ter of 1871, entitled "An act  
and discontinuing highways,"

report that they have had the  
same under consideration. The committee have directed me to report  
without amendment, and recom-  
mend that it be discharged from the furth-

JOHN WALKER

accepted and committee discharged.



actorily than could possibly be done

The committee are of opinion that  
one, outside of the Legislature, should  
all; and that the volume of statutes  
by unnecessary legislation  
fore have directed  
I recommend that  
from the further

L. WA  
committee discharged  
Walker,  
the table.

#### NOTICES.

ice that on some

ain territory from  
e counties of Otse  
o a separate town

notice that on some

r town superinten  
70, 71, 72, 73, 75, '  
compiled laws of  
township inspector  
ice that on some

re issuing of exec  
of attachment

notice that on some

the "Grand Rap



the "Union"  
 he would  
 and to  
 specially.  
 would ask  
 in this  
 rules, and

on;  
 for the  
 January 12,  
 of 1871, by  
 even.  
 and leave  
 of 1871,  
 74, 85, 86,  
 of 1871.  
 its title, and  
 introduced  
 and a  
 a part of  
 its title, and  
 School.  
 introduced  
 Asylum to

transfer its property and concerns to the Union Association of Grand Rapids.

Read a first and second time by its title and

committee on religious and

### THIRD READING OF BILL

33, entitled

to authorize the township of Swain  
to build a bridge over the Saginaw River  
and to hold

third time and passed, a  
yeas and nays therefor, by yeas and

### YEAS.

Mr. Garfield,	Y
Goodrich,	
Gordon,	
Grant,	
Green,	
Grensel,	
Haire,	
Harris,	
Haywood,	
Hewitt,	
Hosner,	
Hoyt,	
Lewis,	
Lockwood,	
E. R. Miller,	
O'Dell,	
Parsons,	
Rich,	

### NAYS.

30.

32, entitled

and an act entitled "An act  
to amend the act of the legislature  
approved March 30 of the compiled laws  
of this state, to be section No. 22



Mr. Lewis,  
Lockwood,  
E. R. Miller,  
O'Dell,  
Parsons,  
Rich,

Mr. Welker,  
West,  
Wheeler,

NAYS.

to.

#### MOTIONS AND RESOLUTIONS

Mr. Blackman moved to take from the calendar and section three of chapter 4 of the compiled laws of 1871 relating to property and the collection

thereof, which prevailed.

Mr. Blackman, on motion, ordered printed, referred to the committee on the general order

#### UNFINISHED BUSINESS

On consideration of the following resolution (the Senate concurring), The House resolved to purchase for the use of the members, six copies of Barclay's Digest, which was adopted.

#### GENERAL ORDER.

On motion of Mr. Rich, the House went into committee of the whole on the

order of Mr. Miller in the chair.

On motion of Mr. Miller, the time spent therein, the Chairman, made the following report: The committee of the whole have had under consideration the following entitled bill:

House bill No. 40, entitled An act to amend section 3 of chapter 4 of the

1858, being

"An act

have directed

ouse, asking

hairman.

to the bill

third read-

erised laws of

1858, being

"An act for

of all the

follows:

ney,

ons,

ter,

Aken,

Scoy,

Walker,

Volker,

Walker,

alker,

Walker,

. Watkins,

ker,

Mr. E. R. Miller,  
O'Dell,  
Parsons,  
Rich,

Mr. Wheeler,  
Withington,  
Speaker,

NAYS.

being on agreeing to the title,  
Mr. Blackman,  
amended so as to read as follow  
and section 3 of chapter 23, bei  
laws of 1871, relative to the  
ers."

amended was then agreed to.  
to discharge the commit  
consideration of House bill N  
and section numbered 13 of c  
laws of 1871, relative to offense  
and decency, being section 7702  
prevailed.

Mr. Grant,  
placed on its immediate passage  
being read a third time, a  
passage, pending the taking of t  
Mr. Ripley,

which the House discharged th  
the further consideration of

being on discharging the co  
further consideration of the bi  
did not prevail.

on State affairs submitted

on State affairs, to whom wa  
provide for a tax upon the owners  
titled "An act to provide for a  
16, 1865, being sections 1178, 1



*Lansing, Tuesday, February 4, 1873.*

at pursuant to adjournment, and was called  
baker.

Mr. Wood.

porum present.

at leave: Messrs. Bottomley, 1  
Arain, Collins, Eggleston, Fe  
Hoar, Howard, Lockwood  
Watson.

and obtained leave of abser

asked and obtained leave of

asked and obtained leave of ab  
nitely, on account of sickness.

asked and obtained leave of abse

asked and obtained leave of  
day.

asked and obtained leave of abser

asked and obtained leave of abse

asked and obtained leave of abser

asked and obtained leave of  
day.

asked and obtained leave of  
day.

asked and obtained leave of  
Thursday.

asked and obtained leave of  
day.

asked and obtained leave of  
day.





to provide shutes

es.

Gardner, Dr. Welling-  
and Zilwaukee, against  
law county;

and counties.

Seymour and 87 others,  
quiring owners of mill  
of fish;

es.

Frink and 26 others,  
ng from railroad fires  
such railroad company

ds.

the board of supervisors  
of the two-mill tax ;  
and means.

resolution :

of the county of Cal-  
nesday, Oct. 30, 1872, the  
adopted :

of schools, known as the  
the school laws having  
give the district boards  
for that purpose, and  
upon our statutes acts  
at its true cash value by  
throughout this State,  
value, the two-mill tax  
districts for school pur-

able equalization of the  
result from the assessment  
therefore,

that said law  
of the Legis-  
that direction

ty, do hereby  
resolution of  
appear on the

al this nine-

YBORN,

*Deputy Clerk.*

D. Woodbury,  
ounty, asking  
tributaries;

eight others,  
joining Brace  
tion of fish in

Hodges, N. B.  
a township of  
the law creat-  
s;

Sam'l Jackson,  
roviding for a

W. L. George,  
of the law cre-

and 66 others, asking  
protection against loss  
the State ;

Montgomery as to certain

means.

arker, Leroy J. Heath,  
asking for the passage  
file a description and  
the county where said

Cook, and 22 others,

airs.

. Van Horn and 108  
;

airs.

Joseph Detranger, C.  
the passage of a bill  
without approval by  
Detroit ;

tsdel, Frederick Weber,

pal corporations.

MITTEES.

hom was referred Sen-

ter 267, being section  
relating to the State  
thereof,

ad the same under com-  
port the same back to  
recommend that it do



THE

[Feb. 4,

May 7, 1855, being sections

compiled laws of 1871.

future day he would ask

Chapter 240, being section

relative to witnesses' fees

future day he would ask

entitled "An act to aid

the Cass River and Bay

number 345 of the laws

river and Unionville, in

appropriation of swamp land

some future day he would

ment of the county of

some future day he would

Deerfield, in the county

BILLS.

being given, introduced

Isle Royale in Keweenaw

second time by its title, and

and counties.

being given and leave

81, and 120 of an act

form assessment of prop-

turn thereof," approved

1086 of the

title, and

and leave

act to pro-

the collec-

April 6, 1869,

to require

approval of this

title, and

and leave

imbecile, or

title, and

Commissioner,

the "Board

buying or

denominated

all the mem-

OWS:

st,

ions,

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Mr. Burns, Cady, Climie, Cobb, Cook, Curtis, Dinturff, Drake, Drew, Edwards, Fancher, Fey, Garvelink, Gilmore, Green, Greusel, Haire, Harris,	Mr. Knapp, Lamb, Luce, Markey, E. R. Miller, Morse, Noyes, O'Dell, Parsons, Perry, Priest, Remer, Rich, Robinson, Robertson, Rose, Sanderson,	Mr. Thompson, Van Aken, A. Walker, B. Walker, F. Walker, J. Walker, L. Walker, Walton, Warren, E. C. Watkins, Welch, Welker, West, Wheeler, Withington, Zimmerman, Speaker,
		70

## NAYS.

Mr. Briggs, Buell, Carter,	Mr. Garfield, Mitchell, Ripley,	Mr. Striker, Van Scoy,
		8

Title agreed to.

On motion of Mr. Shaw,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## MOTIONS AND RESOLUTIONS.

On motion of Mr. Withington,

House bill No. 32, entitled

A bill to amend an act entitled "An act to authorize the formation of telegraph companies," approved March 26, 1851, being chapter 80 of the compiled laws of 1871, by adding thereto a new section, to be section number 22 of said act,

By a vote of two-thirds of all the members elect, was ordered to take immediate effect.

On motion of Mr. Ackley,

House bill No. 33, entitled

A bill to authorize the township of Swan Creek to purchase of the Swan Creek and Saginaw Bridge Company its bridge



as a toll

lect, was

the whole

20, 21, 22,

entitled

the city of

side for the

works,"

municipal

the whole

entitled,

mentary to

ic park or

ing act No.

April 15,

municipal

wnship of

1872,

as ordered

House bill No. 23, entitled

A bill to legalize the assessment roll of the township of Henderson, in the county of Wexford, for the year 1872,

By a vote of two-thirds of all the members elect, was ordered to take immediate effect.

Mr. Parsons moved to discharge the committee of the whole from the further consideration of Senate bill No. 7, entitled

A bill to amend section 28 of chapter 267, being section 8074 of the compiled laws of 1871, relating to the State prison and the government and discipline thereof;

Which motion did not prevail.

On motion of Mr. Hoyt,

House bill No. 36, entitled

A bill to legalize the tax roll of the township of Rubicon in the county of Huron, for the year 1872, and to extend the time for collection of the taxes therein ;

By a vote of two-thirds of all the members elect, was ordered to take immediate effect.

The Speaker announced the following:

*Hon. C. M. Croswell, Speaker of the House of Representatives :*

SIR—In accordance with a resolution of the House, directing me to obtain from the several county clerks of this State the assessed and equalized value of their respective counties, real and personal, I have the honor to submit the accompanying tabular statement of the same, six counties only having failed to comply with the request to furnish the required information, viz.: Emmet, Grand Traverse, Keweenaw, Manitou, Midland, and Presque Isle, and these being remote counties, sufficient time may not have elapsed to hear from them. The table will be found complete with one other exception, viz: the county of Wayne sent only their equalized valuation omitting to give any figures relative to assessed value.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House.*

Equalized  
Valuation.

\$1,866,084
9,687,979
1,977,008
594,674
4,588,665
9,887,000
507,868
6,569,628
4,569,242
8,047,417
4,500,000
150,851
906,588
581,065
1,189,000
4,686,828
404,866
7,021,794
-----
6,907,981
-----
9,186,281
6,580,070
2,158,894
1,820,638
4,805,000
4,279,768
1,865,468
1,727,499
10,978,400
11,072,858
750,083
8,597,200
-----
848,466

COUNTIES.	Assessed Valuation.	Added.	Deducted.	Equalized Valuation.
Lapeer.....	\$3,083,750	\$189,250	-----	\$3,173,000
Leelanaw.....	499,040	-----	-----	499,040
Lenawee.....	9,829,871	-----	\$94,944	9,824,927
Livingston.....	3,746,525	494,000	-----	4,240,525
Mackinac.....	599,700	-----	-----	599,700
Macomb.....	5,083,890	1,086,810	-----	6,170,700
Manistee.....	1,423,445	2,558	-----	1,426,003
Manitou.....	-----	-----	-----	-----
Marquette.....	5,124,203	-----	1,679,203	3,445,000
Mason.....	1,032,696	49,233	-----	1,081,929
Mecosta.....	2,421,302	-----	-----	2,421,302
Menominee.....	823,915	-----	-----	-----
Midland.....	-----	-----	-----	-----
Missaukee.....	934,133	-----	-----	934,133
Monroe.....	4,546,403	23,819	-----	4,570,221
Montcalm.....	3,232,567	825,441	-----	4,058,008
Muskegon.....	2,675,119	156,400	-----	2,831,519
Newaygo.....	2,196,888	-----	456,888	1,740,000
Oakland.....	3,181,595	1,643,295	-----	4,824,890
Oceana.....	1,984,808	65,711	-----	2,050,519
Ontonagon.....	610,000	-----	-----	610,000
Osceola.....	1,124,873	-----	-----	1,124,873
Ottawa.....	3,147,117	3,589,489	-----	6,736,606
Presque Isle.....	-----	-----	-----	-----
Saginaw.....	3,431,620	87,871	-----	3,519,491
Sanilac.....	3,373,063	-----	54,199	3,318,864
Schoolcraft.....	561,603	-----	-----	561,603
Shiawassee.....	606,863	1,901,123	-----	2,508,000
St. Clair.....	4,411,516	-----	57,000	4,354,516
St. Joseph.....	13,230,104	-----	33,683	13,196,421
Tuscola.....	2,014,699	-----	43,583	1,971,116
Van Buren.....	3,423,699	576,311	-----	3,999,990
Washtenaw.....	11,336,313	-----	1,336,313	10,000,000
Wayne.....	Not given.	-----	-----	24,500,500
Wexford.....	770,799	4,822	-----	775,621

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chairman.

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noon.

6 P. M.

Speaker.

## PRESENTATION OF PETITIONS.

By Mr. Speed: Memorial of the board of park commissioners of the city of Detroit relative to a park for said city ;

Referred to the committee on municipal corporations.

The following is the memorial :

*To the Honorable the Senate and House of Representatives of the State of Michigan :*

The undersigned, members of the board of park commissioners of the city of Detroit, beg leave to represent to the Legislature that to enable the board to carry out the objects of the commission, some change in the present law seems indispensable.

The need of some public place for the uses of the population of a large city, has been more and more felt by our thoughtful men and women for some years.

At length, in January, 1871, a spontaneous movement among some of our most spirited citizens resulted in a call for a public meeting to take the matter into consideration. The meeting was held at the old City Hall, on the evening of January, 24, 1871. In the discussions of that meeting, though there was some differences of opinion as to the choice between a park and a boulevard, and as to localities, there was an entire unanimity of sentiment that some improvement of this kind was imperatively needed.

One of the undersigned, who took part in the discussion at the express call of the meeting, declared unreservedly in favor of a park. He was made chairman of the committee chosen by the meeting to prepare and report a plan at a future day.

A plan was, in the following week, reported to a meeting that densely packed the City Hall. Objections were made to some parts of the report, and especially to that part which contemplated a large park outside the present city limits. But after a full discussion, the reported plan was adopted without change by a large majority. In that meeting many of our best, wisest, and wealthiest men took part. The meeting directed





These cities would as soon spare their magnificent warehouses as their noble parks.

We believe we do not mistake the intelligent sentiment of Detroit. Indeed, to deny that the value and necessity of this public improvement is appreciated by our thoughtful men and women would be simply a denial of their intelligence and public spirit.

The inquiries of the commission have also shown them the necessity of timely action. Our population increases from 5,000 to 10,000 every year. The difficulties and cost of securing an eligible site within reasonable distance rapidly increase. In some directions they are already insuperable. The proper site once secured, no further large outlay would be immediately necessary.

The commission have judged the subject of sufficient importance to bring the matter thus formally before you. It is true that in one sense it is a matter of local concern; but what concerns the beauty, the salubrity, and the wise plan for the future of the commercial metropolis of the State, also deeply concerns all the people of the State.

The Commission, therefore, respectfully submit the matter to the attention and wisdom of the Legislature, asking that the law may be so amended as to give the Commissioners the power necessary to secure a park for the city of Detroit.

GEO. V. N. LOTHROP,

C. I. WALKER,

R. P. TOMS,

M. I. MILLS,

C. C. TROWBRIDGE,

Dated DETROIT, Jan. 25, 1873.

By Mr. Remer: Petition of E. W. King, O. W. Carlton E. C. Miles, and John Collins of St. Clair county; asking pay for military services done the State of Michigan;

Referred to the committee on military affairs.

By Mr. Green: Remonstrance of H. H. Noble, E. S.





against the repeal of the law creating the office of superintendent of schools ;

Referred to the committee on education.

By Mr. Rose : Remonstrance of V. W. Bruce, C. W. Nottingham, Geo. F. Stearns, and 60 others, citizens of Mecosta county, against the repeal of the law creating the office of county superintendent of schools ;

Referred to the committee on education.

By Mr. Thompson : Remonstrance of A. C. Ellsworth, K. F. Morse, and 50 others against the repeal of the law creating county superintendents of schools ;

Referred to the committee on education.

By Mr. Kellogg : Petition of S. A. Youmans, Alonzo Sessions, and 18 others, citizens of the townships of Berlin and Easton, Ionia county, asking for the detachment of the north fraction of the northwest quarter of section six of Berlin, and attach the same to Easton ;

Referred to the committee on towns and counties.

By Mr. Goodrich : Petition of O. Gilbert, A. M. Buckman, and 88 others, asking the repeal of an act detaching certain real estate from school district number 1, fractional of Parma, Sandstone, Concord, and Spring Arbor, and attaching the same to school district number 3 of Parma ;

Referred to the committee on education.

By Mr. Gilmore : Petition of Samuel L. Jones, W. E. Burton, Charles L. Watson, Nathan Manly, and 48 others, citizens of the village of Deerfield, in the county of Lenawee, asking for the incorporation of said village ;

Referred to the committee on municipal corporations.

By Mr. Sessions : Petition of John W. Brown and 176 others, citizens of Grand River Valley, for the repeal of all laws relating to fish in said river ;

Referred to the committee on fisheries.

## REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

A bill to amend section one of an act entitled "An act to provide for the recording of town plats, and for vacating the same in certain cases," approved April 19, 1839, being section 1344, chapter 32 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend an act entitled "An act supplementary to the charter of the city of Detroit, relating to a public park or other public grounds for the use of said city, being act number 277 of the session laws of the year 1871, approved April 15, 1871;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

JOHN S. BUELL, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Speed,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend an act entitled "An act to incorporate the village of Pentwater, by amending certain sections thereof and adding a new section thereto;"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Speed,

The House concurred in the amendments made to the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### NOTICES.

Mr. Remer gave notice that on some future day he would ask leave to introduce

A bill to authorize the Board of State Auditors to settle with St. Clair county.

Mr. West gave notice that on some future day he would ask leave to introduce

A bill to provide for recording certain evidence concerning titles of land.

Mr. Briggs gave notice that on some future day he would ask leave to introduce

A bill to amend section 46 of "An act to revise the laws providing for the incorporation of railroad companies," approved April 18, 1871, being section 2450, chapter 75, of the compiled laws of 1871.

Mr. Welker gave notice that on some future day he would ask leave to introduce

A bill to amend section 7, chapter 119, page 1463, of the compiled laws of 1871, relative to the solemnization of marriages.

Mr. Pierce gave notice that on some future day he would ask leave to introduce

A bill to extend the time for the payment of the taxes in the city of Wyandotte.

Mr. Drake gave notice that on some future day he would ask leave to introduce

A bill to detach from the territory of the city of Hillsdale the following sub-division of land, namely: the southwest quarter of the northwest quarter of section number twenty-two, in township number six south, of range three west, and annex the same to the territory of the township of Hillsdale.

Mr. Wixson gave notice that on some future day he would ask leave to introduce

A bill to amend section ten of act number 406, of the session laws of 1869, relating to a certain ditch in the county of Sanilac.

#### INTRODUCTION OF BILLS.

Mr. E. R. Miller, unanimous consent being given, introduced

A bill to provide for the protection and preservation of fish in the lakes and streams of Branch county.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. O'Dell, previous notice having been given and leave being granted, introduced

A bill relating to the issue of executions on judgments obtained upon writs of attachment when not personally served.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Chmie, unanimous consent being given, introduced

A bill to provide for the appointment of a commissioner of

railroads, and to define his powers and duties, and fix his compensation.

The bill was read a first and second time by its title, and referred to the committee on railroads.

### THIRD READING OF BILLS.

Senate bill No. 18, entitled

A bill regarding the payment of irregular or illegal taxes,

Was read a third time and passed by a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,  
Bartholomew,  
Blackman,  
Bonine,  
Burns,  
Cady,  
Climie,  
Cobb,  
Cook,  
Drake,  
Fancher,  
Ferguson,  
Fey,  
Garvelink,  
Gilmore,  
Grant,  
Green,  
Haire,

Mr. Harris,  
Hosner,  
Hoyt,  
Kellogg,  
Knapp,  
Lewis,  
E. R. Miller,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Priest,  
Rose,  
Sanderson,  
Scott,  
Sessions,

Mr. Shaw,  
Smith,  
Speed,  
Thomas,  
Thompson,  
Van Aken,  
A. Walker,  
B. Walker,  
Walton,  
Warren,  
E. C. Watkins,  
Welker,  
West,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

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#### NAYS.

Mr. Armstrong,  
Bailey,  
Briggs,  
Brunson,  
Buell,  
Carter,  
Curtis,  
Dinturff,  
Drew,  
Edwards,  
Garfield,  
Goodrich,

Mr. Greusel,  
Hertzler,  
Hewitt,  
Howard,  
Kipp,  
Lamb,  
Luce,  
Markey,  
Mitchell,  
Pierce,  
Remer,  
Rich,

Mr. Ripley,  
Robinson,  
Robertson,  
Simpson,  
Striker,  
Van Scoy,  
F. Walker,  
J. Walker,  
L. Walker,  
C. W. Watkins,  
Welch,  
Wheeler,

36

Title agreed to.

House bill No. 30, entitled

A bill to amend section 36 of an act to revise the laws for the incorporation of railroad companies, being section 2440 of chapter 35 of the compiled laws of 1871, as amended by act No. 43 of the session laws of 1872, approved March 29, 1872,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bailey,  
Blackman,  
Curtis,  
Drake,  
Drew,  
Ferguson,  
Garvelink,  
Green,  
Haire,  
Hewitt,  
Hosner,

Mr. Hoyt,  
Knapp,  
Markey,  
E. R. Miller,  
O'Dell,  
Rose,  
Sessions,  
Simpson,  
Speed,  
Thomas,  
Van Aken,

Mr. F. Walker,  
J. Walker,  
L. Walker,  
C. W. Watkins,  
E. C. Watkins,  
Welker,  
West,  
Wheeler,  
Wixson,  
Zimmerman, 32

## NAYS.

Mr. Ackley,  
Armstrong,  
Bartholomew,  
Bonine,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Carter,  
Olimie,  
Cobb,  
Cook,  
Dinturff,  
Edwards,  
Fancher,  
Fey,  
Garfield,  
Gilmore,

Mr. Goodrich,  
Grant,  
Greusel,  
Harris,  
Hertzler,  
Howard,  
Kellogg,  
Kipp,  
Lamb,  
Lewis,  
Luce,  
Mitchell,  
Morse,  
Noyes,  
Parsons,  
Perry,  
Pierce,  
Priest,  
Remer,

Mr. Rich,  
Ripley,  
Robinson,  
Robertson,  
Sanderson,  
Scott,  
Shaw,  
Smith,  
Striker,  
Thompson,  
Van Scoy,  
A. Walker,  
B. Walker,  
Walton,  
Warren,  
Welch,  
Withington,  
Speaker, 56

House bill No. 27, entitled

A bill to prevent and punish the adulteration of milk, and

the products made therefrom; and to repeal an act entitled "An act to prevent the adulteration of milk and to prevent the traffic in impure and unwholesome milk," approved March 31st, 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Bailey,	Mr. Hewitt,	Mr. Sanderson,
Bartholomew,	Hoyt,	Scott,
Blackman,	Kipp,	Shaw,
Bonine,	Knapp,	Smith,
Briggs,	Lamb,	Speed,
Brunson,	Luce,	Striker,
Buell,	E. R. Miller,	Thomas,
Burns,	Noyes,	Thompson,
Cady,	O'Dell,	Van Aken,
Climie,	Parsons,	A. Walker,
Cook,	Perry,	F. Walker,
Dintruff,	Pierce,	J. Walker,
Drake,	Priest,	L. Walker,
Edwards,	Remer,	Warren,
Fancher,	Rich,	C. W. Watkins,
Grant,	Ripley,	Welker,
Green,	Robertson,	West,
Haire,	Robinson,	Withington,
Harris,	Rose,	Wixson, 57

## NAYS.

Mr. Ackley,	Mr. Goodrich,	Mr. Sessions,
Armstrong,	Greusel,	Simpson,
Cobb,	Hertzler,	Van Scoy,
Curtis,	Hosner,	B. Walker,
Drew,	Howard,	Walton,
Ferguson,	Kellogg,	E. C. Watkins,
Fey,	Lewis,	Welch,
Garfield,	Markey,	Wheeler,
Garvelink,	Mitchell,	Zimmerman,
Gilmore,	Morse,	Speaker, 30

The question being on agreeing to the title,

Mr. Perry moved to amend the title by inserting the words "offenders for" after the word "punish" in the first line;

Which motion prevailed.

The title as amended was then agreed to.



Mr. Burns asked and obtained leave of absence for Mr. Gordon indefinitely on account of sickness.

GENERAL ORDER.

On motion of Mr. Warren,

The House went into committee of the whole on the general order,

Mr. Gilmore in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 29, entitled

A bill to amend section one of "An act authorizing any persons to construct lines of electric telegraph in the State of Michigan," being section 1608, in chapter 38 of the compiled laws of 1871;

2. House bill No. 31, entitled

A bill to amend section five of "An act to authorize the formation of telegraph companies," being section 2629, in chapter 80 of the compiled laws of 1871,

3. House bill No. 35, entitled

A bill to require the Commissioner of the State Land Office to give public notice of the restoration of reserved or forfeited State lands to market;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

ARTHUR GILMORE, *Chairman.*

Report accepted and committee discharged.

On motion of Warren,

The House concurred in the amendments made to the three named bills by the committee, and they were placed on the order of third reading.

On motion of Mr. Rose,

The House adjourned.

*Lansing, Wednesday, February 5, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bangs.

Roll called: quorum present.

Absent without leave: Mr. Haywood.

Mr. Drew asked and obtained leave of absence for Mr. Haywood for the week.

#### PRESENTATION OF PETITIONS.

By Mr. Kellogg: Petition of B. Johnson, A. E. Carver, J. Beagle, A. Ingraham, Ira Smith, and 100 others, citizens of Michigan, asking for a law to protect deer;

Referred to the committee on State affairs.

By Mr. Pierce: Petition of A. C. McGraw & Co., J. S. Conklin, and 1000 others asking that the park act be so amended as to give the commissioners power to purchase lands for a park for the city of Detroit;

Referred to the committee on municipal corporations.

By Mr. Blackman: Petition of J. M. Gray and 81 others, citizens of Van Buren county praying for the abolition of the office of county superintendent of schools;

Referred to the committee on education.

By Mr. Sessions: Petition of T. D. Scofield and 167 others for the increase of the bounty for killing wolves;

Referred to the committee on State affairs.

By Mr. Warren: Petition of F. A. Long, for relief;

Referred to the committee on judiciary.

By Mr. Bottomley: Petition of T. B. Palmer, D. O. Walker, and 40 others, for the incorporation of the village of Capac;

Referred to the committee on municipal corporations.

By Mr. Lamb: Petition of William L. Abbott, William McMoran, John Abbott, John Odell, John Sheppard, and 162 others, citizens of St. Clair, Sanilac, and Lapeer counties, asking this House to remonstrate to the Congress of the United

States, against granting certain lands in the above counties to any railroad corporation or company; said lands are within the limits of withdrawal for the Port Huron and Milwaukee railroad; and that the said land be declared as lapsed by action of Congress, and the lands restored to entry under the provisions of the Homestead law;

Referred to the committee on federal relations.

By Mr. Welch: Remonstrance of O. A. Critchett, Charles F. Gruner, and 12 others, citizens of Monroe county, against the repeal of the law creating the office of county superintendent of schools;

Also: Remonstrance of J. F. Coulborn, Joseph Carr, and 17 others for the same purpose;

Referred to the committee on education.

By Mr. Cobb: Remonstrance of Hon. H. G. Wells and 40 others, citizens of Kalamazoo county, against the repeal of the law creating the office of county superintendent of schools;

Referred to the committee on education.

By Mr. Warren: Remonstrance of the members of the Livingston County Teachers Association against the repeal of the county superintendency system;

Referred to the committee on education.

The following is the remonstrance:

*To the Honorable, the Legislature of Michigan:*

We, the members of the Livingston County Teachers Association, and others here assembled, firmly believe that the county superintendency system has done very much in elevating the condition of our schools, by supplying more intelligent and efficient teachers, and creating everywhere in the minds of the people an increased interest in educational matters. And further, believing that its present workings indicate ability to accomplish much good in the future, we respectfully but earnestly remonstrate to your honorable body against the repeal of the law creating the system.

The above was unanimously passed by a very large attend-

ance at the annual meeting of the Association, held at Howell January 31, and February 1, 1873.

ELLA BURT, *Secretary*.

By Mr. Cobb: Memorial of Drs. Hitchcock. and R. C. Kedzie, a committee of the State Medical Society, asking for the enactment of a law creating a State Board of Health.

Referred to the committee on public health;

The following is the memorial:

*To the Honorable, the Senate and House of Representatives of the State of Michigan :*

The medical profession of Michigan, as embodied in the State Medical Society, respectfully ask your candid and earnest attention to the following facts and considerations :

Many diseases that now afflict the citizens of this State, causing suffering and poverty to families, enfeebled constitutions, and premature death to individuals, and hence weakness and poverty to the State, are known to depend upon causes that may to a greater or less extent be removed or modified.

For example, typhoid and bilious fevers, dysentery, diphtheria and consumption, are known in almost every town and village, in the practice of almost all experienced and carefully observing physician, to be caused by foul exhalations from decomposing animal or vegetable matter; imperfect ventilation of houses and school-rooms; defective sewage or drainage of private houses or of villages; the use of impure water; innutritious and improper food; too great dampness in the locality of the house, or its proximity to pools of stagnant water.

Many hereditary diseases, such as scrofula, cancer, consumption, epilepsy, insanity, and idiocy, may be traced back through generations of men and women who have, by long continued indulgence in vicious habits or infraction of the plainest sanitary laws, not only implanted in their own persons the seeds of early decay, but have entailed upon coming generations the inevitable doom of disease, premature death, and ultimate extinction.

Many endemics, disastrously affecting whole neighborhoods, depend upon local conditions which may be removed.

Epidemics, too, like Asiatic cholera and small-pox, depend upon such conditions and influences that they may be effectually "stamped out." But in respect to the nature of diseases and their causes, as well as the means for their prevention, there is among the common people a most lamentable ignorance.

Were the causes and the conditions of disease definitely pointed out to the people, it is believed there would be far less disease and suffering, and fewer premature deaths.

The strength and prosperity of the State is measured by the physical, mental, and moral health of its citizens.

*Preventable evil* in individuals is a *crime*; preventable sickness and death of the citizens of a State is, in the government of the State, not only a crime but a *shameful suicide*.

The right *to live* precedes the right to liberty. Life, by law of this State, is made inalienable by the hangman's rope. Ought not the State to take such measures as will tend to make it inalienable by ignorance and the neglect of the plainest laws of Hygiene?

The wisdom of the State is supposed to be concentrated in its Legislature. At any rate the Legislature is the fountain whence come all authoritative laws, and must therefore be held responsible for measures tending to inform the people how to prevent disease and prolong life.

Sanitary science, or the science of preventive medicine, resting its claims to public confidence upon the brilliant modern discoveries of the three allied sciences, Physiology, Pathology, and Chemistry, now comes to all governments and demands recognition, and claims for its legitimate title, STATE MEDICINE.

In view of these considerations, the undersigned, a committee of the State Medical Society, respectfully ask that your honorable body may, during its present session, by a wise and carefully drawn enactment, create a State Board of Health, whose duty it shall be to make careful, scientific, and accurate

investigations in respect to the causes of diseases and the proper means for their prevention, and to publish the same to the people of the State; and to do such other acts, germane to this purpose, as your wisdom may assign to them.

As such investigations will necessarily be carried on at some expense, it is earnestly hoped that an ample appropriation will be made for the Board, so that its labors may be efficient and their results made practically useful to the people of the State

And for this your memorialists will ever pray.

H. O. HITCHCOCK, M. D.

R. C. KEDZIE, M. D.

*Committee of State Medical Society.*

KALAMAZOO, Feb. 3, 1873.

#### REPORTS OF STANDING COMMITTEES.

By the committee on education:

The committee on education, to whom was referred the resolutions and petition of the board of supervisors of Ottawa county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee on ways and means, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Climie,

The resolutions were referred to the committee on ways and means.

By the committee on education:

The committee on education, to whom was referred

A bill to equalize the valuation of property of fractional school districts situated in two or more counties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it be referred to the committee on ways and means, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brunson,

The bill was referred to the committee on ways and means.

By the committee on military affairs:

The committee on military affairs, to whom was referred

A bill to equalize and pay State bounties, and make the necessary appropriation therefor,

Respectfully report that they have had the same under consideration, and find upon the best estimates they have been able to make, that the passage of the bill would involve the State in obligations to the amount of about five millions of dollars, and the equalization of bounties would not then be complete.

While heartily sympathizing with the disposition which would like to see all the men who served the State and country in the late war upon an equal footing in the matter of bounties, your committee do not think this measure is grounded on such principles of justice as would demand its adoption, at whatever cost. They have therefore directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

W. H. WITHINGTON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Grant,

The bill was laid on the table.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to authorize the Grand Rapids orphan asylum to con-

vey and transfer its property and concerns to the Union Benevolent Association of Grand Rapids,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and asked to be discharged from the further consideration of the subject.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on municipal corporations, to whom was recommitted House bill No. 41, entitled

A bill to amend sections 1, 7, 8, 15, 17, 18, 19, 20, 21, 22 and 23 of act number 90 of the session laws of 1853, entitled "An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water-works," approved February 14, 1853,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN L. BUELL, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Speed,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations to whom was referred Senate manuscript bill entitled,



A bill to incorporate the city of Ludington,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hertzler,

The House concurred in the amendment made to the bill by the committee.

On motion of Mr. Speed,

The bill was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, February 4, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

Senate bill No. 19, entitled

A bill to provide for the printing and publication of the territorial laws of the territory of Michigan;

2. Senate bill No. 20, entitled

A bill to legalize the tax roll of the township of Pioneer, in the county of Missaukee, for the year 1872;

3. Senate bill No. 22, entitled

A bill to legalize the assessment roll of the township of Riverside, in the county of Missaukee, for the year 1872;

4. Senate bill No. 12, being

A bill making appropriations for the State Normal School;

5. Senate bill No. 10, entitled

A bill making appropriations for the completion of the new hall of the University of Michigan, and to pay deficit in the revenue of the University for the year ending June 30, 1873;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first-named bill was read a first and second time by its title, and referred to the committee on judiciary.

The second and third named bills were read a first and second time by their titles, and referred to the committee on local taxation.

The fourth and fifth named bills were read a first and second time by their titles, and referred to the committee on University and Normal School.

#### NOTICES.

Mr. Howard gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Port Huron.

Mr. Goodrich gave notice that on some future day he would ask leave to introduce

A bill to detach a portion of the town of Columbia and attach the same to the town of Brooklyn in the county of Jackson.

Mr. Briggs gave notice that on some future day he would ask leave to introduce

A bill to provide for the appointment of a State entomologist, and to prescribe his duties and fix the salary therefor.

Mr. Bottomley gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Capac.

Mr. Burns gave notice that on some future day he would ask leave to introduce

A bill to amend sections 6 and 7 of act number 188 of the session laws of 1857, entitled "An act to provide for the incor-

poration of mechanics' associations," approved February 17, 1857, which being sections 2800 and 2801 of the compiled laws of 1871.

Mr. Haire gave notice that on some future day he would ask leave to introduce

A bill to change the name of the First Presbyterian Society of Mill Point to the First Presbyterian Society of Spring Lake.

Mr. Chamberlain gave notice that on some future day he would ask leave to introduce

A bill to amend section 68 of chapter 21 of the compiled laws of 1871, being an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon ;

Also,

To amend act No. 419 of the session laws of 1869, being a bill to incorporate the village of New Buffalo.

Mr. Lewis gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of Bay City in Bay county ;

Also,

A bill to organize the township of Ogemaw in the county of Iosco.

Mr. Garfield gave notice that on some future day he would ask leave to introduce

A bill to amend an act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State.

Mr. Welker gave notice that on some future day he would ask leave to introduce

A bill defining the duties and labors of county superintendents of schools, and the compensation therefor ; and, also the duties of township inspectors of schools, and the compensation therefor.

## INTRODUCTION OF BILLS.

Mr. West, previous notice having been given, and leave being granted, introduced

A bill to provide for recording certain evidence concerning titles of land.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. West, previous notice having been given and leave being granted, introduced

A bill to amend sections 16 and 19 of chapter 21, being sections 982 and 985 of the compiled laws of 1871, relative to the assessment of taxes.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Drake, previous notice having been given and leave being granted, introduced

A bill to detach certain territory from the city of Hillsdale, and to annex the same to the township of Hillsdale in Hillsdale county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Hoyt, previous notice having been given and leave being granted, introduced

A bill to amend section 1 of an act entitled "An act to aid in the construction of that part of the Cass River and Bay City State road established under act number 345 of the laws of 1865, between the forks of Cass River and Unionville, in Tuscola county, and making an appropriation of swamp land therefor."

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Hoyt, previous notice having been given and leave being granted, introduced

A bill to amend section 3 of an act entitled "An act to pro-

vide for the appointment of a State reporter," the same being section 5653 in chapter 180 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Edwards, previous notice having been given and leave being granted, introduced

A bill to provide for the government of the county of Wayne.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Harris, unanimous consent being given, introduced

A bill appropriating an additional section of land per mile on the swamp land road to the Porcupine and West-Side mines.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Welker, previous notice having been given, and leave being granted, introduced

A bill to amend section 7, chapter 119, page 1463 of the compiled laws of 1871, relative to solemnizing marriages.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Blackman, previous notice having been given and leave being granted, introduced

A bill to amend sections 2, 12, and 27, of an act entitled "An act to incorporate the village of Paw Paw," approved March 28, 1867.

The bill was read a first and second time by its title and referred to the committee on municipal corporations.

Mr. Briggs, previous notice having been given and leave being granted, introduced

A bill to make an appropriation in aid of the Michigan Pomological Society.

The bill was read a first and second time by its title, and referred to the committee on horticulture.

Mr. Ackley, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled, "An act to lay out and establish a State road in the counties of Midland and Saginaw, and to appropriate certain non-resident highway taxes therefor," by adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Cobb, previous notice having been given and leave being granted, introduced

A bill to amend section 8 of an act entitled "An act to re-incorporate the village of Kalamazoo," and to repeal all inconsistent acts and parts of acts, approved March 15th, 1861, and to add a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Wixson, previous notice having been given and leave being granted, introduced

A bill to amend section 10 of act number 406 of the session laws of 1869, relating to a certain ditch in the county of Sanilac.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. L. Walker, previous notice having been given and leave being granted, introduced

A bill to amend sections 9 and 10 of "An act for the relief of school districts," approved February 7, 1855, being sections 3721 and 3722, chapter 136 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Burns, previous notice having been given and leave being granted, introduced

A bill to repeal section 509 of the compiled laws of 1871, and to substitute a new section therefor, relative to clerk of the board of county auditors for the county of Wayne.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Speed moved to take from the table

Senate manuscript bill, entitled

A bill to incorporate the city of Ludington,

And that it be placed on the order of third reading ;

Which motion did not prevail.

On motion of Mr. Speed,

The bill was taken from the table, ordered printed, and referred to the committee of the whole.

On motion of Mr. E. R. Miller,

House bill No. 14, entitled

A bill to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor,

Was taken from the table and placed on the order of third reading.

#### THIRD READING OF BILLS.

House bill No. 29, entitled

A bill to amend section one of "An act authorizing any persons to construct lines of electric telegraph in the State of Michigan," being section 1608, in chapter 38 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Blackman,  
Bottomley,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Caplis,

Mr. Greusel,  
Haire,  
Harris,  
Hertzler,  
Hewitt,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,

Mr. Robinson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thompson,

Mr. Carter, Chamberlain, Climie, Cobb, Curtis, Dintruff, Drake, Drew, Edwards, Fancher, Ferguson, Fey, Garfield, Garvelink, Gilmore, Goodrich, Grant, Green,	Mr. Lamb, Lewis, Lockwood, Luce, Markey, E. R. Miller, Mitchell, Morse, Noyes, O'Dell, Parsons, Perry, Pierce, Priest, Remer, Rich, Ripley, Robertson,	Mr. Van Aken, Van Scoy, A. Walker, B. Walker, F. Walker, J. Walker, L. Walker, Walton, Warren, E. C. Watkins, Welch, Welker, West, Withington, Wixson, Zimmerman, Speaker,
	NAYS.	86

Mr. C. W. Watkins.

1

The question being on agreeing to the title,

Mr. Warren offered the following substitute therefor :

“A bill to amend section 1, chapter 38, being 1608 of the compiled laws of 1871, entitled An act authorizing any person to construct lines of electric telegraph in the State of Michigan;”

Which was adopted.

The title, as amended by the substitute, was then agreed to.  
House bill No. 31, entitled

A bill to amend section five of “An act to authorize the formation of telegraph companies,” being section 2629 in chapter 80 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley, Armstrong, Bailey, Blackman, Bonine,	Mr. Green, Greusel, Haire, Harris, Hertzler,	Mr. Rose, Sanderson, Scott, Sessions, Shaw,
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Mr. Bottomley,	Mr. Hewitt,	Mr. Simpson,
Briggs,	Hosner,	Smith,
Brunson,	Howard,	Speed,
Buell,	Hoyt,	Striker,
Burns,	Kellogg,	Thomas,
Cady,	Kipp,	Thompson,
Caplis,	Knapp,	Van Aken,
Carter,	Lewis,	Van Scoy,
Chamberlain,	Lockwood,	A. Walker,
Climie,	Luce,	B. Walker,
Cobb,	Markey,	F. Walker,
Cook,	E. R. Miller,	J. Walker,
Curtis,	Mitchell,	L. Walker,
Dinturff,	Morse,	Walton,
Drake,	Noyes,	Warren,
Drew,	O'Dell,	E. C. Watkins,
Edwards,	Parsons,	Welch,
Fancher,	Perry,	Welker,
Ferguson,	Pierce,	West,
Fey,	Priest,	Wheeler,
Garfield,	Remer,	Withington,
Garvelink,	Rich,	Wixson,
Gilmore,	Ripley,	Zimmerman,
Goodrich,	Robinson,	Speaker,
Grant,	Robertson,	
	NAYS.	89

Mr. Lamb, C. W. Watkins, 2

Title agreed to.

House bill No. 35, entitled

A bill to require the Commissioner of the State Land Office to give public notice of the restoration of reserved or forfeited State lands to market,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Robertson,
Armstrong,	Haire,	Robinson,
Bailey,	Harris,	Sanderson,
Bonine,	Hertzler,	Scott,
Bottomley,	Hewitt,	Sessions,
Briggs,	Hosner,	Shaw,
Brunson,	Howard,	Simpson,

Mr. Buell,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chamberlain,  
Climie,  
Cobb,  
Cook,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Gilmore,  
Goodrich,  
Grant,  
Green,

Mr. Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,

Mr. Smith,  
Speed,  
Striker,  
Thompson,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,

85

## NAYS.

Mr. Blackman,  
Curtis,

Mr. Rose,

Mr. C. W. Watkins,  
4

Title agreed to.

On motion of Mr. Climie,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 14, entitled

A bill to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Armstrong,  
Bonine,  
Brunson,  
Buell,  
Burns,  
Cady,  
Caplis,

Mr. Greusel,  
Harris,  
Hertzler,  
Hosner,  
Howard,  
Hoyt,  
Kipp,

Mr. Scott,  
Shaw,  
Speed,  
Thomas,  
Thompson,  
A. Walker,  
F. Walker,

Mr. Chamberlain, Olimie, Cobb, Cook, Edwards, Garfield, Garvelink, Goodrich, Grant, Green,	Mr. Knapp, Lewis, Lockwood, Markey, E. R. Miller, Mitchell, Perry, Pierce, Remer, Rich,	Mr. L. Walker, Warren, E. C. Watkins, Welch, West, Wheeler, Withington, Wixson, Zimmerman, Speaker,
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## NAYS.

Mr. Ackley, Bailey, Blackman, Bottomley, Briggs, Carter, Curtis, Dinturff, Drake, Drew, Fancher, Ferguson, Fey, Gilmore,	Mr. Haire, Hewitt, Kellogg, Lamb, Luce, Morse, Noyes, O'Dell, Parsons, Priest, Ripley, Robinson, Robertson,	Mr. Rose, Sanderson, Sessions, Simpson, Smith, Striker, Van Aken, Van Scoy, B. Walker, J. Walker, Walton, C. W. Watkins, Welker,
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40

Title agreed to.

Mr. E. R. Miller moved that the bill be ordered to take immediate effect ;

Which motion did not prevail.

## MOTIONS AND RESOLUTIONS.

Mr. C. B. Grant moved to reconsider the vote by which the House refused to pass House bill No. 30, entitled

A bill to amend section 36 of an act to revise the laws for the incorporation of railroad companies, being section 2440 of chapter 35 of the compiled laws of 1871, as amended by act No. 43 of the session laws of 1872, approved March 29, 1872 ;

Which motion prevailed.

On motion of Mr. Grant,

The bill was laid on the table.

Mr. Gilmore offered the following:

*Resolved*, That the committee on railroads be and they are hereby requested to report to this House as soon as convenient the practicability of amending the railroad law so as to compel railroad companies to place the plank on their crossings at least one inch higher than the top of the rails;

Which was adopted.

Mr. Lockwood moved to discharge the committee of the whole from the further consideration of House bill No. 55, entitled

A bill to amend sections 9 and 27 of an act entitled "An act to incorporate the city of Alpena," approved March 29, 1871, being act No. 249 of the session laws for the year 1871, and to add a new section, to stand as section No. 94;

Which motion prevailed.

On motion of Mr. Lockwood,

The bill was placed on the order of third reading.

On motion of Mr. Hoyt

The House took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Fey: Petition of Porter Davenport, Joseph Russell, and 169 others, for the detaching of certain territory from the city of Saginaw, the same to be attached to the township of Carrolton, in Saginaw county;

Referred to the committee on municipal corporations.

By Mr. Simpson: Remonstrance of S. Gordon Burked, H. B. Clapp, J. M. Steel, J. G. Haynes, E. A. Blackman, and N. Foster, the school board of the Decatur union school, in Van

Buren county, against the repeal of the law creating the office of county superintendent of schools ;

Also : Remonstrance of F. L. Kear and 45 others, for the same purpose ;

Also : Remonstrance of A. P. Pierce and 13 others, for the same purpose ;

Also : Remonstrance of M. E. Hogmire and 16 others, for the same purpose ;

Also : Remonstrance of F. E. Fowler and 10 others, for the same purpose ;

Also : Remonstrance of Charles Hathaway and 40 others, or the same purpose ;

Also : Remonstrance of R. C. Harmon and 30 others, for the same purpose ;

Also : Remonstrance of S. S. Austin, E. Truesdell and 59 others, for the same purpose ;

Also : Remonstrance of George W. Haven and 9 others, for the same purpose ;

Also : Remonstrance of R. W. Phillips and 14 others, for the same purpose ;

Also : Remonstrance of Cyrus Wallick and 4 others, for the same purpose ;

Also : Remonstrance of Richard W. Phillips and 16 others, for the same purpose ;

Also : Remonstrance of A. C. Martin, H. Shivrick and 46 others, for the same purpose ;

Also : Remonstrance of H. E. Goble, George W. Myers, and 36 others, for the same purpose ;

Also : Remonstrance of John Baker, and 6 others, for the same purpose ;

Referred to the committee on education.

The following is a copy of the remonstrance :

*To the Honorable the Legislature of Michigan :*

Believing that the system of county superintendency of schools has accomplished very much in elevating the standard

of our schools, and the increased ability of teachers, and an increased interest in the minds of the people, and that it will accomplish still more in the future; we, the undersigned taxpayers of Van Buren county, earnestly remonstrate to your Honorable body against the repeal of the law by which said system was created. And your petitioners will ever pray.

By Mr. Bailey: Petition of Dr. W. M. Campbell and 125 others, in favor of a homeopathic medical department of the University of Michigan, to be located in Detroit;

Referred to the committee on University and Normal School.

The following is the memorial:

*To the Honorable, the Senate and House of Representatives of the Legislature of Michigan:*

SIRS:—The undersigned, faculty of the Detroit Homeopathic College, humbly but respectfully desire to memorialize your honorable body on the subject of the establishment of a homeopathic medical department of the University of Michigan.

As long ago as the year 1855 the Legislature of this State passed an act providing for "one or more professors of homeopathy in the medical department of the University" at Ann Arbor. This act was believed to be detrimental to the best interests of that department, and no attempt to comply with its provisions was made until the year 1868, when, on the appointment of a professor of homeopathy, almost the entire medical faculty resigned, and the destruction of said medical department was imminent.

The appointment of the Homeopathy Professor was thereupon withdrawn, and since that time no amount of persuasion and threats of prosecution have sufficed to induce the Regents of that institution to repeat the experiment. The matter was taken to, and argued at length before the Supreme Court of the State, and failed, by reason of an equal division in opinion of the Judges of that Court.

Such being the facts, we, as advocates of the homeopathic system of medicine, are completely foiled in that direction. Still the claims of that system of medicine exist, and the demands from the people for educated practitioners in the art is growing, and the subject worthily commends itself to your consideration.

Notwithstanding the opposition of the Regents to the introduction of the new system into the old department at Ann Arbor, they have, several times, signified their desire to have it taught in a separate school or department away from Ann Arbor, but connected or affiliated with the University.

After the lapse of considerable time, and on full reflection, this view has now come to be almost unanimously adopted by the friends and patrons of homeopathy, not only in this, but in many other States.

To encourage this sentiment, and give the matter a practical test, two members of the Faculty of this College over one year ago laid the subject before the Board of Regents, at a regular meeting held in Ann Arbor, on the 25th of September, 1871. On that occasion the following action was unanimously taken by them:

*Resolved*, That we approve of the efforts that are being made to establish a Homeopathic Medical College at Detroit, to be eventually connected with the University, and when we are authorized to make it a part of the University by law, with proper provision for its support, we will administer its affairs to the best of our ability.

With the encouragement thus offered, this College was soon after organized, and the institution is now approaching the close of the second session.

The experiment has been a most valuable one, and has, in our opinion, demonstrated the necessity for, and the success of, a Homeopathic Medical College in Michigan.

We now, therefore, pray your honorable bodies to pass an

act, authorizing the Regents to carry out the above resolution.

We believe the time for this has fully come, and that such an institution will become no continued burden to the taxpayers of the State, and that, for the present and long future, its usefulness will greatly outweigh its cost.

Conscious of the rectitude of our motives, and the justice of the cause, we will ever pray, etc.

By Mr. Speed: Memorial of citizens of Detroit relative to a public park;

Referred to the committee on municipal corporations.

The following is the memorial:

*To the Honorable the House of Representatives of the State of Michigan:*

The undersigned memorialists respectfully show:

1st. That the Legislature of 1871 passed an act providing for the location, purchase, and improvement of a public park in the city of Detroit, by which a commission or board was provided for, to consist of six persons, and the following distinguished citizens of the State, who are residents of said city, are named in said act as such commissioners: Hon. John J. Bagley, Hon. M. I. Mills, G. V. N. Lothrop, Esq., R. P. Toms, Esq., A. S. Bagg, Esq., and Wm. A. Butler, Esq.

2d. That these commissioners having qualified, pursuant to the requirements of said act, proceeded to the selection of a location for said park. After having listened to all citizens of said city who desired to be heard in the matter, and having thoroughly examined the various localities in and about the city in respect to advantages of each for such use, the commissioners finally located the park in the township of Hamtramck on the Detroit river. Five out of six of the commissioners concurred in this location, A. S. Bagg, Esq., alone dissenting.

3d. The commissioners, as they are authorized to do by said act, entered into a conditional agreement with the owners of the land embraced in said location, for its purchase, by which



the price to be paid was fixed; and no one familiar with the facts will deny that this price is exceedingly favorable to the city.

4th. That the commissioners reported their action in the premises to the common council of said city, who approved the same, and in accordance with the terms of said act, called a meeting of the citizens of said city to pass upon the question of completing the purchase. This meeting, through the action of a few persons who were disappointed that the park had not been located in another place where they had tried to secure it for their own personal ends, terminated in a boisterous mob. A second meeting was called, as provided for in the act, which also resulted in a failure, either to affirm or disapprove the purchase.

In this condition the matter of this park now stands. The terms of two of the commissioners have expired, and their places have been filled by Hon. C. C. Trowbridge, and Hon. C. I. Walker, of said city.

No one can honestly deny either of the following propositions

1st. That a very large majority, both of the tax-payers and voters of said city desire a park;

2d. That the price which the commissioners have contracted to pay for the required land is extremely reasonable, and favorable to the city;

3d. That the location selected is, in every respect, as favorable of access to the people of the city as can possible be secured in or about the city, and possesses very many natural advantages that cannot be had in any other obtainable site;

4th. That the only question connected with the park about which the people of the city cannot agree is the place where it shall be located. There are but three places possible for locating it, to-wit: in the westerly, northerly, or easterly part of said city. The selection of either locality will inevitably lead to a combination of the residents of the other two to defeat it, not because of opposition to a park, but solely from the hope that its location may be secured in one of the other two places.

If, therefore, our city is to have a park, the Legislature of the State will have to come to the relief.

The high character of the gentlemen who compose the commission is an ample guaranty to our citizens that they will suffer no wrong through the future action of the commissioners; the interests of all in connection with this park could not be in safer hands.

The interests and welfare of the poor of our city require that a place of public resort, of the kind contemplated by this act, properly ornamented and made attractive, should be provided. Neither the selfishness nor the penuriousness of men should be permitted to prevent the supplying of this want.

The common council, under the proposed amendments, will have no power to incur an indebtedness in behalf of the city beyond the sum fixed upon by the park commission. Under these circumstances, and in view of the foregoing facts, we respectfully ask that the park act may be so amended as to give the park commissioners the power to purchase the ground selected by them, properly limiting the sum to be expended for that purpose, and to render it obligatory upon the common council to raise the necessary money to pay for the same, by issuing and selling bonds of the city for that purpose, in accordance with the memorial of said commissioners to your honorable body.

By Mr. Bartholomew: Petition of D. O. Farrand, M. D., J. F. Noyes, M. D., and 42 others, mostly physicians of Detroit for an amendment to the park act;

Referred to the committee on municipal corporations.

The following is the petition:

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

The undersigned citizens of Detroit, respectfully ask that the park act may be so amended as to give the Commissioners power to purchase lands for a park for the city of Detroit.

D. O. FARRAND, M. D.,  
R. C. REMICK,

ALBERT NEVINS,  
W. K. STANSBURY,

J. F. NOYES, M. D.,  
J. A. BROWN, M. D.,  
A. B. LYONS, M. D.,  
LEARTUS CONNOR, M. D.,  
EDW'D G. HOLDEN,  
GEO. P. ANDREWS, M. D.,  
HUGH McMILLAN,  
FRED. L. SEITZ & CO.,  
E. W. JENKS, M. D.,  
H. O. WALKER, M. D.,  
H. FARNSWORTH,  
BIRTE INGLIS, M. D.,  
W. H. LATHROP, M. D.,  
W. A. C. MILLER,  
H. H. HAWKINS,  
H. NORTON, M. D.,  
E. R. PARKER,  
T. W. COOPER,  
CHARLES POE,  
WM. H. POWERS,

EDWIN V. CONELY,  
I. C. V. WHEAT,  
V. P. BANLEY,  
W. R. THOMPSON,  
D. S. AMSDEN,  
E. REIDY,  
WM. HALL,  
J. G. JOHNSON, M. D.,  
L. H. COBB, M. D.,  
HENRY F. LYSTER, M. D.,  
THEO. A. MCGRAW, M. D.,  
MORSE STEWART, M. D.,  
P. KLINE, M. D.,  
GEO. A. FOSTER, M. D.,  
WM. BRODIE, M. D.,  
N. W. WEBBER, M. D.,  
J. HENRY CARSTENT, M. D.,  
C. C. YEMANS, M. D.,  
W. CHANDLER, M. D.,  
DANIEL LAFESTE, M. D.

DETROIT, January 27th, 1873.

By Mr. Luce: Petition of John Manning, Jonathan Green, and others, citizens of Clare county, relative to the game law ;

Referred to the committee on State affairs.

By Mr. L. Walker: Resolutions of the board of supervisors of the county of Genesee, asking for the repeal of the law providing for a county superintendency of schools ;

Referred to the committee on education.

By Mr. Shaw: Petition of Otto Raeser, W. H. Sweet, and others, for a law for the better protection of married women ;

Referred to the committee on judiciary.

Mr. Remer asked and obtained leave of absence for the committee on Reform Schools for the afternoon.

Mr. Sessions asked and obtained leave of absence for Mr. Morse for the afternoon.

Mr. Grant asked and obtained leave of absence for the committee on ways and means for the afternoon.

## REPORTS OF STANDING COMMITTEES.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to amend section one of an act entitled "An act to provide for laying out and constructing a State ditch or drain in the counties of St. Clair and Sanilac, and making an appropriation of State swamp lands to aid in the construction of the same," being act No. 482 of the session laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. SESSIONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on University and Normal school.

The committee on University and Normal school, to whom was referred Senate bill No. 10, entitled

A bill making appropriations for the completion of the new hall of the University of Michigan, and to pay deficit in the revenue of the University for the year ending June 30, 1873,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY F. THOMAS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on University and Normal School :

The committee on University and Normal School, to whom was referred Senate bill No. 12, entitled,

A bill making appropriations for the State Normal School, Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY F. THOMAS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

MESSAGE FROM THE GOVERNOR.

The Speaker announced the following :

EXECUTIVE OFFICE, }  
Lansing, February 5, 1873. }

*To the House of Representatives :*

I transmit herewith

A bill for the organization of cities by general law,

Which has been prepared by Hon. Andrew Howell, who was appointed special commissioner for that purpose under the provisions of act No. 178, of the laws of 1871.

JOHN J. BAGLEY.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

NOTICES.

Mr. Lewis gave notice that on some future day he would ask leave to introduce

A bill to amend the law relative to bridge companies.

Mr. Scott gave notice that on some future day he would ask leave to introduce

A bill to amend an act to provide for the appointment of a State board of agriculture.

## INTRODUCTION OF BILLS.

Mr. E. C. Watkins, previous notice having been given and leave being granted, introduced

A bill to provide for compensation for loss of property by fire, originating from railroad fires.

The bill was read a first and second time by its title, and referred to the committee on railroads.

## THIRD READING OF BILLS.

House bill no 55, entitled,

A bill to amend sections nine and twenty-seven of an act entitled "An act to incorporate the city of Alpena," approved March twenty-ninth, eighteen hundred and seventy-one, being act number two hundred and forty-nine of the session laws for the year eighteen hundred and seventy-one, and to add a new section to stand as section number ninety-four,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Hertzler,	Mr. Scott,
Armstrong,	Hewitt,	Sessions,
Bailey,	Hosner,	Shaw,
Bartholomew,	Howard,	Smith,
Blackman,	Hoyt,	Speed,
Bottomley,	Lamb,	Thomas,
Briggs,	Lewis,	Thompson,
Brunson,	Lockwood,	Van Scoy,
Carter,	Luce,	A. Walker,
Chafey,	Markey,	B. Walker,
Climie,	Mitchell,	F. Walker,
Curtis,	Noyes,	J. Walker,
Dinturff,	O'Dell,	L. Walker,
Edwards,	Parsons,	Walton,
Ferguson,	Perry,	Warren,
Fey,	Pierce,	E. C. Watkins,
Garfield,	Priest,	Welch,
Garvelink,	Remer,	Welker,
Gilmore,	Rich,	West,
Green,	Ripley,	Wixson,

Mr. Greusel, Haire, Harris,	Mr. Robertson, Robinson, Rose,	Mr. Zimmerman, Speaker,	
	NAYS.		68 0

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS AND RESOLUTIONS.

Mr. Thomas moved to reconsider the vote by which the House passed House bill No. 14, entitled

A bill to establish a Board of Commissioners to increase the product of the fisheries, and to make an appropriation therefor ;  
Which was withdrawn.

Mr. Thomas gave notice that on to-morrow he would renew the motion.

#### GENERAL ORDER.

On motion of Mr. Hoyt,

The House went into committee of the whole on the general order,

Mr. Briggs in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. House bill No. 39, entitled

A bill to authorize the board of water commissioners of the city of Detroit to borrow money for the purpose of extending and improving the water-works of said city ;

2. House bill No. 45, entitled

A bill to provide for an insurance on the State Library ;

3. House bill No. 46, entitled

A bill to amend an act entitled "An act to provide for the fees of officers and ministers of justice in criminal cases,"

being section 7489, chapter 240 of the compiled laws of 1871 ;

4. House bill No. 48, entitled

A bill to amend section 174 of chapter 178 of the compiled laws of 1871, relative to executions issued by justices of the peace ;

5. House bill No. 53, entitled

A bill to organize the township of Greenwood, in the county of Wexford ;

6. House bill No. 58, entitled

A bill to organize the township of Boardman in the county of Kalkaska ;

7. House bill No. 59, entitled

A bill to amend act number 44 of the session laws of 1861, being an act to amend chapter 93 of the revised statutes of 1846, entitled " Of courts held by justices of the peace ;"

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

8. House bill No. 43, entitled

A bill to organize the townships of Deep River, Granton, and Pinconning, and to re-organize the township of Clayton in Bay county ;

9. House bill No. 44, entitled

A bill to organize the township of Edwards, in the county of Iosco ;

10. House bill No. 47, entitled

A bill to amend an act entitled " An act to provide for the fees of certain officers in civil cases," the same being section 7442, chapter 239 of the compiled laws of 1871 ;

11. House bill No. 51, entitled

A bill to repeal an act entitled " An act to provide for a tax upon dogs ;"

12. House bill No. 56, entitled



A bill to repeal act No. 57 of the session laws of 1850, being "An act to incorporate the Plymouth Plank Road Company," approved March 5, 1850 ;

13. House bill No. 57, entitled

A bill to amend section 4 of an act entitled "An act to provide for the better management and care of the State library," the same being section 271 in chapter 7 of the compiled laws of 1871 ;

14. House bill No. 62, entitled

A bill to provide for the purchase of books for the State Library ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution :

Senate manuscript joint resolution, entitled

Joint resolution providing that the amount heretofore appropriated for engrossing upon parchment a roll of honor and for binding the same, shall be paid from the military fund ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

E. L. BRIGGS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Speed,

The House concurred in the amendments made to the first seven named bills and the joint resolution, by the committee, and they were placed on the order of third reading.

The seven last named bills were placed on the order of third reading.

The committee on municipal corporations made the following report :

The committee on municipal corporations, to whom was referred

A bill for the incorporation of cities,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that the bill be printed and recommitted to the committee for further consideration.

JOHN J. SPEED, *Chairman*.

Report accepted.

On motion of Mr. Buell,

The House concurred in the recommendation of the committee, and the bill was ordered printed and recommitted to the committee on municipal corporations.

On motion of Mr. Caplis,

The House adjourned.

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*Lansing, Thursday, February 6, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Cromack.

Roll called : quorum present.

Absent without leave : Messrs. Eggleston and Withington.

Mr. C. W. Watkins asked and obtained leave of absence for Mr. Withington for the day.

Mr. Buell asked and obtained leave of absence for Mr. Breitung indefinitely, on account of sickness.

#### PRESENTATION OF PETITIONS.

By Mr. Robinson: Petition of the common council and 89 others, of the village of Albion, praying that sections 5, 7, 8, 14, 35, 36, and 44, of the revised charter of the village of Albion, be amended as reported by the committee and adopted by the common council of said village ;

Referred to the committee on municipal corporations.

By Mr. Fancher: Petition of F. W. Hinds and 25 others,

praying for the protection of deer by increasing the bounty on wolves;

Referred to the committee on State affairs.

By Mr. Van Aken: Petition of D. C. Myers, L. M. French, F. Cornell, and 90 others, citizens of Branch county, asking for the prohibition of the manufacture of farm wagons in the State Prison;

Referred to the committee on State Prison:

By Mr. E. R. Miller: Petition of Wm. Doolittle, Wm. Arrow-smith, and 17 others, for the passage of an act to prohibit the re-letting of the wagon contract in the State Prison at Jackson;

Referred to the committee on State Prison.

By Mr. Fancher: Remonstrance of Conrad Hook, and 42 others, against the disorganization of the township of Chippewa in the county of Isabella;

Referred to the committee on towns and counties.

By Mr. E. C. Watkins: The petition of Judge B. A. Harlan, Hon. W. R. Davis, and 53 others, citizens of Kent county, asking a discontinuance of a certain portion of the Grand Rapids and Greenville State road;

Referred to the committee on roads and bridges.

By Mr. Wixson: Petition of Wm. Barney, and 43 others, asking for the passage of an act to lay out and establish a State road in the county of Sanilac, and an appropriation of non-resident highway tax for the construction of the same;

Referred to the committee on roads and bridges.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the Asylum for the Deaf, Dumb, and the Blind:

The committee on the Asylum for the Deaf, Dumb, and the Blind, to whom was referred so much of the messages of the retiring and incoming Governors as relates to the Institution for the education of the Deaf, Dumb, and the Blind, respectfully report that they have thoughtfully considered the recommend-

ations contained in those messages, and have visited the Institution, examined into its conduct and management, and inspected its buildings, which are now completed with the exception of the portico, which, if constructed, would add greatly to the appearance of the edifice. The condition of the buildings is, in a high degree, satisfactory. Commodious and substantial, they are neat and comfortable in their appointments, and worthy of the honor of the State, and the pride of its citizens.

The conduct of the institution is eminently creditable to the management. Professor Bangs, the faithful and earnest principal, is deserving of the thanks of the people of the State for his untiring energy and sagacious direction, which have brought the Institution up to its present high standard of excellence, and made it a model worthy of our growing State. A glance into the school-rooms discloses an intelligence and interest displayed by the pupils that afford ample evidence that his whole soul is in his work. His assistants also, seem thoroughly qualified to discharge the duties of the several positions to which they are assigned. The studious deportment and intelligent interest evinced by the pupils show that they appreciate and improve the opportunities afforded them by this Institution,—one of the noblest of our State charities.

Your committee have examined the furniture and shoe-shops, their machinery and samples of the work made therein, and believe these features to be of incalculable benefit to the children now being instructed in these branches of labor. Your committee would recommend that the art of printing be made a part of the education of the pupils, as it is well known that this trade commands respect, and those who have acquired it can always find work at remunerative prices. It seems to be a kind of work well adapted to the capacities of mutes, and will better fit these unfortunates to grapple with the realities of life when thrown upon the world to care for themselves.

Your committee would also recommend that the blind be taught the art of making mats, brooms, baskets, flag and cane chair seats. These branches of labor seem to be best fitted for this class of unfortunates, and will be a source of pleasure to them while in the Institution, and of great advantage in after life.

Your committee are also impressed with the necessity of furnishing some indoor amusements for the pupils; adorning the walls with maps and pictures, and increasing the library, and thus give the Institution the appearance of a home rather than of an asylum. The sum of two thousand dollars is recommended for this improvement, to be expended under the direction of the Governor.

In addition to this, your committee concur fully in recommending the appropriation asked for, for the years 1873 and 1874, by the board of trustees, except the sum of ten thousand dollars asked for to complete the front portico. This improvement, your committee think, may be wisely deferred until the grounds are graded, roads and walks laid out and constructed, ornamental and shade trees set out, fences improved, and the shops enlarged and made more perfect.

To carry out these recommendations, and make what we deem proper provision for the needs of the Institution, your committee report herewith the following bill, entitled

A bill making appropriations for the Institution for Educating the Deaf, Dumb, and the Blind, for the years 1873 and 1874;

Recommending that the same do pass, and ask to be discharged from the further consideration of the subject.

HENRY HOWARD, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

A bill to amend section 7, chapter 169, being section 4725 of the compiled laws of 1871, relative to marriage and the solemnization thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and asked to be discharged from the further consideration of the subject.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on horticulture:

The committee on horticulture to whom was referred,

A bill to make an appropriation in aid of the Michigan State Pomological Society,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. SCOTT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on drainage:

The committee on drainage to whom was referred

A bill to amend section ten of act No. 406 of the session laws of 1869, being an act appropriating non-resident highway taxes in the county of Sanilac for the construction of a certain ditch in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. S. PRIEST, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means to whom was referred

A bill to amend section 97 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1063, chapter 21 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to submit the following report:

The bill proposes to amend the law in these particulars: First, by requiring every county treasurer to give bond before entering upon the duties of his office; second, by requiring him to pay over all moneys due the State within thirty days after the receipt thereof; and, third, by providing for the giving of a new bond whenever the old bond shall be deemed insufficient. Your committee are of the opinion that these amendments to the law should be made, and they have therefore directed me to report the same back to the House without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### NOTICES.

Mr. Ripley gave notice that on some future day he would ask leave to introduce

A bill to legalize and facilitate the collection of taxes.

Mr. Caplis gave notice that on some future day he would ask leave to introduce

A bill requiring the township of Springwells to pay for the paving of Fort street.

Mr. E. C. Watkins gave notice that on some future day he would ask leave to introduce

A bill to take up that part of a certain State road known as the "Grand Rapids and Greenville State Road," running across the southwest quarter of section twenty-two, township No. 9 north, of range 10 west.

Mr. Hoyt gave notice that on some future day he would ask leave to introduce

A bill to amend section 124 of chapter 21, being section 1090 of the compiled laws of 1871, and being an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon."

Mr. Brunson gave notice that on some future day he would ask leave to introduce

A bill to amend section 40 of an act entitled "An act to incorporate the village of Ovid," approved March 24, 1869, as amended by act No. 263 of the session laws of 1871, and to repeal section 2 of said act No. 263.

#### INTRODUCTION OF BILLS.

Mr. Fancher, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to provide for the uniform assessment of property, and the collection and return of taxes thereon," being sections 54, 67, 70, 71, 73, 74, 75, 77, 78, 79, 80, 81, 82, 84, 87, 88, 89, 90, 91, 92, 93, 95, 97, 98, 99, 100, 102, 103, 104, 113, 117, 118, 119, 120, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 149, 155, 156, 162, 164, 165, 166, 167, and to repeal sections 83, 96, 105, 106, 107, 108, 109, 110, 111, 112, of chapter 21, being sections 1020, 1025, 1033, 1036, 1037, 1039, 1040, 1041, 1043, 1044, 1045, 1046, 1047, 1048, 1050, 1053, 1054, 1055, 1056, 1057,



1058, 1059, 1061, 1065, 1066, 1068, 1069, 1070, 1080, 1083, 1085, 1086, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1115, 1121, 1128, 1130, 1034, 1042, 1049, 1060, 1062, 1063, 1064, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1084, of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Cook, previous notice having been given and leave being granted, introduced

A bill to amend section 1, chapter 53, compiled laws of 1871, relative to disorderly persons.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Lewis, previous notice having been given and leave being granted, introduced

A bill to amend the law relative to bridge companies, by adding two new sections thereto to stand as sections 19 and 20 of said act.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Curtis, previous notice having been given and leave being granted, introduced

A bill to vacate and discontinue a certain State road in the township of Jamestown in the county of Ottawa.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Garfield, previous notice having been given and leave being granted, introduced

A bill to amend section two of chapter 63, being section 2090 of the compiled laws of 1871, entitled "An act to provide for the erection and maintenance of shutes for the passage of fish through the dams across the streams of this State.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Burns, previous notice having been given, and leave being granted, introduced

A bill to amend sections 6 and 7 of act number 188 of the session laws of 1857, entitled "An act to provide for the incorporation of mechanics' associations," approved February 17, 1857, which being sections 2800 and 2801 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. Lewis, previous notice having been given and leave being granted, introduced

A bill to organize the township of Ogemaw in the county of Iosco.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Briggs, previous notice having been given and leave being granted, introduced

A bill to amend section 46 of "An act to revise the laws providing for the incorporation of railroad companies," approved April 18, 1871, being section 2450, chapter 75 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Green, previous notice having been given and leave being granted, introduced

A bill to detach certain territory from the present township of Forest Home, in the counties of Otsego and Antrim, and organize the same into a separate township by the name of Maybell.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Bottomley, previous notice having been given, and leave being granted, introduced

A bill to repeal act number 475 of the session laws of 1871, entitled "An act to provide for laying out and constructing a

State road in the townships of Muzzy and Linn, in the county of St. Clair, State of Michigan, and making an appropriation of non-resident highway tax to aid in construction of the same, to be known as the Muzzy and Linn State Road," approved April 17, 1871.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

### THIRD READING OF BILLS.

House joint resolution No. 4, entitled

Joint resolution submitting an amendment to the constitution of the State authorizing the employment of a chaplain for the State Prison, and religious services in the Legislature;

Was read a third time and was not passed, two-thirds of all the members elect not voting therefor, by yeas and nays as follows:

#### YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Scott,	
Bartholomew,	Harris,	Sessions,	
Blackman,	Hertzler,	Shaw,	
Brunson,	Hosner,	Smith,	
Burns,	Howard,	Speed,	
Carter,	Hoyt,	Striker,	
Chamberlain,	Kellogg,	Thomas,	
Curtis,	Kipp,	Van Aken,	
Drake,	Markey,	F. Walker,	
Edwards,	E. R. Miller,	J. Walker,	
Fancher,	Mitchell,	L. Walker,	
Ferguson,	Noyes,	E. C. Watkins,	
Fey,	O'Dell,	Welch,	
Garfield,	Pierce,	Welker,	
Garvelink,	Ripley,	Wheeler,	
Goodrich,	Robinson,	Wixson,	
Greusel,	Robertson,	Speaker,	51

#### NAYS.

Mr. Armstrong,	Mr. Gilmore,	Mr. Priest,
Bailey,	Grant,	Rich,
Bonine,	Green,	Rose,
Bottomley,	Hewitt,	Sanderson,
Briggs,	Hoar,	Simpson,

Mr. Buell,  
Cady,  
Chafey,  
Climie,  
Cobb,  
Cook,  
Dinturff,  
Drew,

Mr. Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Luce,  
Morse,  
Parsons,  
Perry,

Mr. Thompson,  
Van Scoy,  
A. Walker,  
B. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
Zimmerman, 39

House bill No. 39, entitled

A bill to authorize the board of water commissioners of the city of Detroit to borrow money for the purpose of extending and improving the water-works of said city,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Bottomley,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Cook,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Goodrich,  
Grant,

Mr. Green,  
Greusel,  
Haire,  
Harris,  
Hertzler,  
Hewitt,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Priest,  
Rich,  
Robinson,  
Robertson,

Mr. Rose,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Aken,  
Van Scoy,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Wixson,  
Zimmerman,  
Speaker,

## NAYS.

Mr. Curtis,                      Mr. Gilmore,                      Mr. Ripley,                      3

Title agreed to.

On motion of Mr. Speed,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 45, entitled

A bill to provide for an insurance on the State Library,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Harris,	Mr. Sessions,
Armstrong,	Hertzler,	Shaw,
Bailey,	Hewitt,	Simpson,
Bartholomew,	Hosner,	Smith,
Blackman,	Hoyt,	Speed,
Bonine,	Kellogg,	Striker,
Briggs,	Kipp,	Thomas,
Brunson,	Knapp,	Thompson,
Buell,	Lewis,	Van Aken,
Burns,	Markey,	Van Scoy,
Cady,	E. R. Miller,	A. Walker,
Carter,	Mitchell,	B. Walker,
Chafey,	Morse,	F. Walker,
Chamberlain,	Noyes,	J. Walker,
Climie,	O'Dell,	L. Walker,
Cobb,	Parsons,	Walton,
Cook,	Perry,	Warren,
Curtis,	Pierce,	C. W. Watkins,
Dinturff,	Priest,	E. O. Watkins,
Fancher,	Remer,	Welch,
Ferguson,	Rich,	Welker,
Fey,	Robinson,	West,
Gilmore,	Robertson,	Wheeler,
Grant,	Rose,	Wixson,
Green,	Sanderson,	Zimmerman,
Grensel,	Scott,	Speaker,
Haire,		

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## NAYS.

Mr. Bottomley,	Mr. Garvelink,	Mr. Lamb,
Drake,	Goodrich,	Lockwood,

Mr. Drew,  
Edwards,  
Garfield,

Mr. Hoar,  
Howard,

Mr. Luce,  
Ripley,

13

Title agreed to.

House bill No. 46, entitled

A bill to amend an act entitled "An act to provide for the fees of officers and ministers of justice in criminal cases," being section 7489, chapter 240 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Bottomley,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Olimie,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Ferguson,  
Garfield,  
Garvelink,  
Gilmore,  
Goodrich,  
Grant,

Mr. Green,  
Greusel,  
Haire,  
Harris,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,  
Robinson,  
Robertson,

Mr. Rose,  
Sanderson,  
Scott,  
Sessions.  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Wixson,  
Zimmerman,  
Speaker,

86

#### NAYS.

Mr. Ackley,  
Fey,

Mr. Lockwood,  
Morse,

Mr. Noyes,  
Van Aken,

6

The question being on agreeing to the title,

Mr. Warren offered the following substitute therefor :

A bill to amend section 2 of chapter 240 of an act entitled  
“An act relative to the costs of proceedings in criminal cases,”  
it being section 7489 of the compiled laws of 1871 ;

Which was adopted.

The title, as amended by the substitute, was then agreed to.

On motion of Mr. Remer,

By a vote of two-thirds of all the members elect, the bill  
was ordered to take immediate effect.

House bill No. 48, entitled

A bill to amend section 174 of chapter 178 of the compiled  
laws of 1871, relative to executions issued by justices of the  
peace,

Was read a third time, and, pending the taking of the vote  
on the passage thereof,

Mr. Blackman moved to amend the bill by adding at the  
end of the section the words, “except in actions for fines, pen-  
alties, or forfeitures ;”

Which motion did not prevail.

The bill was then passed, a majority of all the members elect  
voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robertson,
Armstrong,	Green,	Robinson,
Bailey,	Haire,	Rose,
Bartholomew,	Harris,	Sanderson,
Blackman,	Hewitt,	Scott,
Bonine,	Hosner,	Sessions,
Bottomley,	Howard,	Shaw,
Briggs,	Hoyt,	Simpson,
Branson,	Kellogg,	Smith,
Burns,	Kipp,	Striker,
Cady,	Knapp,	Thomas,
Carter,	Lamb,	Thompson,
Chafey,	Lewis,	Van Aken,
Chamberlain,	Lockwood,	Van Scoy,
Climie,	Luce,	A. Walker,
Cobb,	Markey,	B. Walker,

Mr. Cook,	Mr. E. R. Miller,	Mr. F. Walker,	
Curtis,	Mitchell,	J. Walker,	
Dinturff,	Morse,	L. Walker,	
Drake,	Noyes,	Walton,	
Drew,	O'Dell,	Warren,	
Edwards,	Parsons,	C. W. Watkins,	
Fancher,	Perry,	E. C. Watkins,	
Ferguson,	Pierce,	Welch,	
Garfield,	Priest,	Welker,	
Garvelink,	Remer,	West,	
Gilmore,	Rich,	Wheeler,	
Goodrich,	Ripley,	Wixson,	84
	NAYS.		

Mr. Buell,	Mr. Hoar,	Mr. Speed,	
Greusel,			4

The question being on agreeing to the title,

Mr. Green offered the following substitute therefor :

“A bill to amend section 174 of chapter 178, being section 5422 of the compiled laws of 1871, entitled ‘Of courts held by justices of the peace;’”

Which was adopted.

The title, as amended by the substitute, was then agreed to.

On motion of Mr. Bonine,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Noyes,

The House took a recess until 2 o'clock this afternoon.

#### AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House resumed the order of

#### THIRD READING OF BILLS.

House bill No. 53, entitled

A bill to organize the township of Greenwood, in the county of Wexford,



Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Blackman,  
Bonine,  
Bottomley,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,

Mr. Gilmore,  
Goodrich,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Lamb,  
Lewis,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Priest,

Mr. Rich,  
Robinson,  
Robertson,  
Sanderson,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
E. C. Watkins,  
Welker,  
West,  
Wheeler,  
Wixson,  
Zimmerman,  
Speaker,

81

## NAYS.

0

Title agreed to.

On motion of Mr. Ferguson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 58, entitled

A bill to organize the township of Boardman in the county of Kalkaska,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Ripley,
Armstrong,	Green,	Robertson,
Bailey,	Greusel,	Robinson,
Bartholomew,	Haire,	Scott,
Blackman,	Harris,	Sessions,
Bonine,	Hertzler,	Shaw,
Bottomley,	Hewitt,	Simpson,
Briggs,	Hoar,	Smith,
Brunson,	Hosner,	Speed,
Buell,	Howard,	Striker,
Burns,	Hoyt,	Thomas,
Cady,	Kellogg,	Thompson,
Carter,	Kipp,	Van Aken,
Chafey,	Lamb,	Van Scoy,
Chamberlain,	Lewis,	A. Walker,
Climie,	Luce,	B. Walker,
Cobb,	Markey,	F. Walker,
Cook,	E. R. Miller,	J. Walker,
Dinturff,	Mitchell,	L. Walker,
Drake,	Morse,	Walton,
Drew,	Noyes,	Warren,
Edwards,	O'Dell,	E. C. Watkins,
Fancher,	Parsons,	Welch,
Ferguson,	Perry,	Welker,
Fey,	Pierce,	Wheeler,
Garfield,	Priest,	Wixson,
Garvelink,	Remer,	Zimmerman,
Gilmore,	Rich,	Speaker,
Goodrich,		

85

## NAYS.

0

Title agreed to.

On motion of Mr. Ferguson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 59, entitled

A bill to amend act number 44 of the session laws of 1861, being an act to amend chapter 93 of the revised statutes of 1846, entitled "Of courts held by justices of the peace,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robertson,
Armstrong,	Green,	Sanderson,
Bailey,	Greusel,	Scott,
Bartholomew,	Haire,	Sessions,
Blackman,	Harris,	Shaw,
Bonine,	Hertzler,	Simpson,
Bottomley,	Hewitt,	Smith,
Briggs,	Hoar,	Speed,
Brunson,	Hosner,	Striker,
Buell,	Howard,	Thomas,
Burns,	Hoyt,	Thompson,
Cady,	Kellogg,	Van Aken,
Carter,	Kipp,	Van Scoy,
Chafey,	Knapp,	A. Walker,
Chamberlain,	Lamb,	B. Walker,
Climie,	Lewis,	F. Walker,
Cobb,	Lockwood,	J. Walker,
Cook,	Luce,	L. Walker,
Curtis,	Markey,	Walton,
Dinturff,	E. R. Miller,	Warren,
Drake,	Mitchell,	O. W. Watkins,
Edwards,	Morse,	E. C. Watkins,
Fancher,	Noyes,	Welch,
Ferguson,	O'Dell,	Welker,
Fey,	Parsons,	West,
Garfield,	Perry,	Wheeler,
Garvelink,	Pierce,	Wixson,
Gilmore,	Priest,	Zimmerman,
Goodrich,	Remer,	Speaker, 87

## NAYS.

Mr. Ripley, 1

The question being on agreeing to the title,

Mr Blackman offered the following substitute therefor :

“ A bill to amend section 86 of chapter 93, being section 5334 of the compiled laws of 1871, entitled ‘ Of courts held by justices of the peace;’ ”

Which was adopted.

The title, as amended by the substitute, was then agreed to.

House bill No. 43, entitled

A bill to organize the townships of Deep River, Granton, and Pinconning, and to re-organize the township of Clayton in Bay county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.		
Mr. Ackley,	Mr. Goodrich,	Mr. Ripley,
Armstrong,	Grant,	Robertson,
Bailey,	Green,	Sanderson,
Bartholomew,	Greusel,	Scott,
Blackman,	Haire,	Sessions,
Bonine,	Harris,	Shaw,
Bottomley,	Hertzler,	Simpson,
Briggs,	Hewitt,	Speed,
Brunson,	Hoar,	Striker,
Buell,	Hosner,	Thomas,
Burns,	Howard	Thompson,
Cady,	Hoyt,	Van Aken,
Carter,	Kellogg,	Van Scoy,
Chafey,	Lamb,	A. Walker,
Chamberlain,	Lewis,	B. Walker,
Climis,	Lockwood,	F. Walker,
Cobb,	Luce,	J. Walker,
Cook,	Markey,	L. Walker,
Curtis,	E. R. Miller,	Walton,
Dinturff,	Mitchell,	Warren,
Drake,	Morse,	O. W. Watkins,
Drew,	Noyes,	E. C. Watkins,
Edwards,	O'Dell,	Welch,
Fancher,	Parsons,	Welker,
Ferguson,	Perry,	West,
Fey,	Pierce,	Wheeler,
Garfield,	Priest,	Wixson,
Garvelink,	Remer,	Zimmerman,
Gilmore,	Rich,	Speaker, 87
	NAYS.	0

Title agreed to.

On motion of Mr. Lewis,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 44, entitled

A bill to organize the township of Edwards, in the county of Iosco,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Robertson,
Armstrong,	Greusel,	Sanderson,
Bailey,	Haire,	Scott,
Bartholomew,	Harris,	Sessions,
Blackman,	Hertzler,	Shaw,
Bonine,	Hewitt,	Simpson,
Bottomley,	Hoar,	Smith,
Briggs,	Hosner,	Speed,
Brunson,	Howard,	Striker,
Buell,	Hoyt,	Thomas,
Burns,	Kellogg,	Thompson,
Cady,	Kipp,	Van Aken,
Carter,	Knapp,	Van Scoy,
Chafey,	Lamb,	A. Walker,
Chamberlain,	Lewis,	B. Walker,
Climie,	Lockwood,	F. Walker,
Cobb,	Luce,	J. Walker,
Cook,	Markey,	L. Walker,
Curtis,	E. R. Miller,	Walton,
Dinturff,	Mitchell,	Warren,
Drake,	Morse,	C. W. Watkins,
Drew,	Noyes,	E. C. Watkins,
Fancher,	O'Dell,	Welch,
Ferguson,	Parsons,	Welker,
Fey,	Perry,	West,
Garfield,	Priest,	Wheeler,
Garvelink,	Remer,	Wixson,
Gilmore,	Rich,	Zimmerman,
Goodrich,	Ripley,	Speaker,
Grant,	Robinson,	89
	NAYS.	0

Title agreed to.

On motion of Mr. Lewis,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 47, entitled

A bill to amend an act entitled "An act to provide for the fees of certain officers in civil cases," the same being section 7442, chapter 239 of the compiled laws of 1871,

Being under consideration,

Mr. Hoyt moved that the bill be re-committed to the committee of the whole;

Which motion was withdrawn.

Mr. Hoyt moved to amend the bill by striking out all after the word "court" in line 7 of section 10, to and including the word "forfeiture" in line 9 of the same section;

Which motion prevailed.

The bill was then read a third time, and pending the taking of the vote on the passage thereof,

Mr. C. W. Watkins offered the following substitute for section 1 of the bill:

"Sec. 1. *The People of the State of Michigan enact*, That section 10 of chapter 239, being section 7442 of the compiled laws of 1871, be and the same is hereby amended so as to read as follows:"

Which was adopted.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Robinson,
Armstrong,	Greusel,	Robertson,
Bailey,	Haire,	Rose,
Bartholomew,	Harris,	Sanderson,
Blackman,	Hertzler,	Scott,
Bonine,	Hewitt,	Sessions,
Bottomley,	Hoar,	Shaw,
Briggs,	Hosner,	Simpson,
Brunson,	Howard,	Smith,
Buell,	Hoyt,	Speed,
Burns,	Kellogg,	Striker,
Cady,	Kipp,	Thomas,
Carter,	Knapp,	Thompson,
Chafey,	Lamb,	Van Scoy,
Chamberlain,	Lewis,	A. Walker,
Climie,	Lockwood,	B. Walker,
Cobb,	Luce,	F. Walker,
Cook,	Markey,	J. Walker,
Curtis,	E. R. Miller,	L. Walker,
Dinturff,	Mitchell,	Walton,
Drake,	Morse,	Warren,

Mr. Drew,  
Edwards,  
Fanober,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Gilmore,  
Goodrich,  
Grant,

Mr. Noyes,  
O'Dell,  
Parsons,  
Perry.  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,

Mr. C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Wixson,  
Zimmerman,  
Speaker,

91

## NAYS.

Mr. Van Aken,

1

The question being on agreeing to the title,

Mr. Warren offered the following substitute for the title:

"A bill to amend section 10 of chapter 239, being section 7442 of the compiled laws of 1871, entitled fees of witnesses;"

Which was adopted.

The title, as amended by the substitute, was then agreed to.

On motion of Mr. C. W. Watkins,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 51, entitled

A bill to repeal an act entitled "An act to provide for a tax upon dogs,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Bottomley,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Carter,

Mr. Gilmore,  
Goodrich,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Knapp,

Mr. Rich,  
Ripley,  
Robinson,  
Robertson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Speed,  
Striker,  
Thomas,

Mr. Chafey,  
Chamberlain,  
Climie,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,

Mr. Lamb,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Remer,

Mr. Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
L. Walker,  
Walton,  
Warren,  
E. C. Watkins,  
Welch,  
West,  
Wheeler,  
Wixson,  
Zimmerman,  
Speaker, 81

# NAYS.

Mr. Cobb,  
Hoyt,  
Kellogg,  
Kipp,

Mr. Priest,  
Smith,  
Thompson,  
Van Aken,

Mr. J. Walker,  
C. W. Watkins,  
Welker, 11

Title agreed to.

On motion of Mr. Mitchell,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 56, entitled

A bill to repeal act number 57 of the session laws of 1850, being an act to incorporate the Plymouth plank road company, approved March 5, 1850,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Scott,

The bill was recommitted to the committee on roads and bridges.

House bill No. 57, entitled

A bill to amend section 4 of an act entitled "An act to provide for the better management and care of the State Library," the same being section 271 in chapter 7 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:



## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Bottomley,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb.  
Cook,  
Curtis,  
Dinturff,  
Edwards,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Gilmore,  
Goodrich,

Mr. Green,  
Grensel,  
Haire,  
Harris,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Priest,  
Remer,

Mr. Rich,  
Robinson,  
Robertson,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Warren,  
E. C. Watkins,  
Welker,  
West,  
Wheeler,  
Wixson,  
Zimmerman,

82

## NAYS.

Mr. Drake,  
Drew,  
Grant,

Mr. Hertzler,  
Ripley,  
Rose,

Mr. Walton,  
Speaker,

8

Title agreed to.

On motion of Mr. Hoyt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 62, entitled

A bill to provide for the purchase of books for the State Library,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Robertson,
Armstrong,	Harris,	Rose,
Bailey,	Hertzler,	Sanderson,
Bartholomew,	Hewitt,	Scott,
Blackman,	Hoar,	Sessions,
Bonine,	Hosner,	Shaw,
Bottomley,	Howard,	Simpson,
Briggs,	Hoyt,	Smith,
Brunson,	Kellogg,	Speed,
Buell,	Kipp,	Striker,
Burns,	Knapp,	Thomas,
Cady,	Lamb,	Thompson,
Chafey,	Lewis,	Van Scoy,
Chamberlain,	Lockwood,	A. Walker,
Climie,	Luce,	B. Walker,
Cobb,	Markey,	F. Walker,
Curtis,	E. R. Miller,	J. Walker,
Drake,	Mitchell,	L. Walker,
Edwards,	Morse,	Walton,
Fancher,	Noyes,	Warren,
Ferguson,	O'Dell,	C. W. Watkins,
Fey,	Parsons,	E. C. Watkins,
Garfield,	Perry,	Welker,
Garvelink,	Pierce,	West,
Gilmore,	Priest,	Wheeler,
Goodrich,	Remer,	Wixson,
Grant,	Rich,	Zimmerman,
Green,	Ripley,	Speaker,
Greusel,	Robinson,	86

## NAYS.

Mr. Carter,	Mr. Dinturff,	Mr. Van Aken,
Cook,	Drew,	5

Title agreed to.

On motion of Mr. Hoyt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Hoyt,

House bill No. 45, entitled

A bill to provide for an insurance on the State Library,

By a vote of two-thirds of all the members elect, was ordered to take immediate effect.

Senate manuscript joint resolution, entitled

Joint resolution providing that the amount heretofore appropriated for engrossing upon parchment a roll of honor and for binding the same, shall be paid from the military fund,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robertson,	
Armstrong,	Green,	Rose,	
Bailey,	Greusel,	Sanderson,	
Bartholomew,	Haire,	Scott,	
Blackman,	Harris,	Sessions,	
Bonine,	Hertzler,	Shaw,	
Bottomley,	Hewitt,	Simpson,	
Briggs,	Hoar,	Smith,	
Brunson,	Hosner,	Speed,	
Buell,	Howard,	Striker,	
Burns,	Hoyt,	Thomas,	
Cady,	Kellogg,	Thompson,	
Carter,	Kipp,	Van Aken,	
Chafey,	Knapp,	Van Scoy,	
Chamberlain,	Lamb,	A. Walker,	
Climie,	Lewis,	B. Walker,	
Cobb,	Lockwood,	F. Walker,	
Cook,	Luce,	J. Walker,	
Curtis,	Markey,	L. Walker,	
Dinturff,	E. R. Miller,	Walton,	
Drake,	Mitchell,	Warren,	
Drew,	Noyes,	C. W. Watkins,	
Edwards,	O'Dell,	E. C. Watkins,	
Fancher,	Parsons,	Welch,	
Ferguson,	Perry,	Welker,	
Fey,	Pierce,	West,	
Garfield,	Priest,	Wheeler,	
Garvelink,	Remer,	Wixson,	
Gilmore,	Rich,	Zimmerman,	
Goodrich,	Robinson,	Speaker,	90
	NAYS.		0

Title agreed to.

On motion of Mr. Bonine,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

## MOTIONS AND RESOLUTIONS.

Mr. Thomas moved to reconsider the vote by which the House passed House bill No. 14, entitled

A bill to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor.

Mr. E. R. Miller moved to lay the motion to reconsider the vote on the table ;

Which was withdrawn.

The motion to reconsider then prevailed.

On motion of Mr. Gilmore,

The bill was recommitted to the committee on fisheries.

Mr. Grant moved to discharge the committee of the whole from the further consideration of Senate manuscript bill, entitled

A bill to incorporate the city of Ludington ;

Which motion prevailed.

On motion of Mr. Grant,

The bill was then placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Hoar,	Mr. Sessions,
Armstrong,	Hosner,	Shaw,
Bailey,	Howard,	Smith,
Bartholomew,	Hoyt,	Speed,
Bonine,	Kellogg,	Striker,
Briggs,	Kipp,	Thomas,
Brunson,	Knapp,	Thompson,
Buell,	Lamb,	Van Aken,
Burns,	Lewis,	Van Scoy,
Cady,	Lockwood,	A. Walker,
Carter,	Markey,	B. Walker,
Climie,	E. R. Miller,	F. Walker,
Cobb,	Mitchell,	J. Walker,
Cook,	Morse,	Walton,
Drew,	Noyes,	Warren,
Edwards,	O'Dell,	C. W. Watkins,
Fancher,	Parsons,	E. C. Watkins,

Mr. Ferguson, Fey, Garvelink, Gillmore, Goodrich, Grant, Green, Hewett,	Mr. Perry, Priest, Remer, Ripley, Robinson, Robertson, Rose, Scott,	Mr. Welch, Welker, West, Wheeler, Wixson, Zimmerman, Speaker,	74
NAYS.			0

Mr. Blackman, Bottomley, Chafey, Chamberlain, Curtis, Dinturff,	Mr. Drake, Garfield, Greusel, Haire, Hertzler,	Mr. Luce, Pierce, Rich, Sanderson, L. Walker,	16
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Title agreed to.

Pending the announcement of the vote,

Mr. J. Walker moved that Mr. L. Walker be excused from voting;

Which motion did not prevail.

Mr. L. Walker then voted as recorded above.

On motion of Mr. Hoyt,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Walton offered the following:

*Resolved*, That the committee on the State Prison examine and report to this House, at their earliest convenience, upon the following matters relative to the prison, namely: The advantages and disadvantages of the present buildings with respect to the health, custody, and employment of convicts; the size of the cells, and whether the same are sufficiently ventilated for the proper confinement of prisoners therein; the length of time daily that convicts are shut up in cells; the prison dress, and the propriety of changing the same to a plain dress of uniform color; the amount of time devoted to the secular and religious instruction of the convicts, and the propriety of making further provision for the same; the female prison, and the removal of the same from the centre of

the prison, and the expediency of building a new one for this purpose ; the cost of needful attendance, repairs, and improvements to the buildings and walls of the main prison; the necessity of some further provision for the treatment and care of the insane convicts; together with such suggestions as they may deem wise for improving the grounds, buildings, and general management of the convicts of said prison ;

Which was adopted.

Mr. Scott offered the following :

*Resolved*, That the Attorney General be and is hereby requested to furnish this House with his opinion as to whether this House has authority to repeal the charter of the Plymouth plank-road company under any circumstances ;

Which was adopted.

Mr. Speed offered the following :

*Resolved*, That the committee on rules and joint rules be instructed to take into consideration and report upon the propriety of adopting a rule that all bills, when printed, shall have noted thereon the recommendation of the committee to whom it was referred, and if reported without recommendation that the fact be so stated ;

Which was adopted.

Mr. L. Walker moved to discharge the committee of the whole from the further consideration of House bill No. 49, entitled

A bill to legalize the assessment rolls of the second and third wards of the city of Flint, in the county of Genesee, State of Michigan, for the year 1870, and to extend the time for the collection of the unpaid taxes levied therein ;

Which motion prevailed.

On motion of Mr. L. Walker,

The bill was laid on the table.

Mr. F. Walker offered the following :

*Resolved*, That a committee of five be appointed to examine and report on the management and conduct of the Grand Rapids and Indiana Railroad ;

Mr. Bottomley moved to amend the resolution by adding the words "and Port Huron and Lake Michigan Railroad ;"

Which was agreed to.

Mr. Gilmore moved to further amend the resolution by adding thereto the words "with power to send for persons and papers ;"

Which was agreed to.

The resolution was then adopted.

The committee on municipal corporations, by unanimous consent, reported the following:

The committee on municipal corporations, to whom was referred

A bill to amend section eight of an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15th, 1861, and to add a new section to said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The committee on municipal corporations, by unanimous consent, reported as follows:

The committee on municipal corporations, to whom was referred

A bill to amend sections 2, 12, and 27 of an act entitled "An act to incorporate the village of Paw Paw," approved March 28, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Blackman,

The rules were suspended, and the bill was placed on the order of third reading.

The committee on municipal corporations, by unanimous consent, gave notice that on some future day they would ask leave to introduce

A bill to detach certain territory from the city of Saginaw, and annex the same to the township of Carrolton.

Mr. Lockwood, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State Road, and appropriating certain non-resident highway taxes therefor ;

Also,

A bill to amend an act entitled "An act to provide for the laying out establishing, and constructing a State road in the county of Alcona, and appropriating certain non-resident highway taxes to aid in the construction of the same," being act No. 404 of the session laws of 1869, approved April 2, 1869.

Mr. Chamberlain moved to reconsider the vote by which the House adopted the following resolution :

*Resolved*, That a committee of five be appointed to examine and report on the management and conduct of the Grand Rapids and Indiana Railroad, and the Port Huron and Lake Michigan Railroad, with power to send for persons and papers ;

Which motion prevailed.

On motion of Mr. Chamberlain,

The vote by which the House agreed to the amendment to the resolution, inserting therein the words "and Port Huron and Lake Michigan Railroad," was reconsidered.



The question recurring on the adoption of the amendment,  
The same was not adopted.

The resolution was then adopted.

Mr. Remer offered the following:

*Resolved*, That a committee of five be appointed by the Speaker to investigate the affairs of the Port Huron & Lake Michigan, and Grand Trunk railroads, with authority to send for persons and papers;

Which was adopted.

The committee on public health by unanimous consent reported as follows:

The committee on public health to whom was referred so much of Governors Baldwin's and Bagley's messages as related to vital statistics and public health, and also sundry petitions asking for the establishment of a State Board of Health,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to establish a State Board of Health, to provide for the appointment of a Superintendent of Vital Statistics, and to assign certain duties to local boards of health,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

I. H. BARTHOLOMEW, *Chairman*.

The bill was read a first and second time by its title, and was then ordered printed, referred to the committee of the whole, and placed on the general order.

The committee on roads and bridges, by unanimous consent, reported as follows:

The committee on roads and bridges to whom was referred

A bill to amend section 1 of an act entitled "An act to aid in the construction of that part of the Cass River and Bay City State road established under act number 345 of the laws of 1865, between the forks of Cass River and Unionville, in Tuscola county, and making an appropriation of swamp land therefor," and being act No. 311 of the session laws of 181,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House and ask to have it referred to the committee on public lands, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Drew,

The House concurred in the recommendation of the committee, and the bill was referred to the committee on public lands.

Mr. C. W. Watkins offered the following :

*Resolved*, That the committee authorized by the House to inquire into the management of the Grand Rapids & Indiana Railroad, be authorized to hold sessions of their committee at the city of Grand Rapids, and elsewhere along the road, as they may deem necessary ;

Which was adopted.

Mr. Hoyt, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A joint resolution relative to the State Library.

By unanimous consent the House took up the order of

#### PRESENTATION OF PETITIONS.

By Mr. Speed: Petition of C. H. Hurd, A. S. Sweet, and 120 others, employes of the M. C. Railroad, asking that authority be given to the park commissioners to purchase land for a public park in the city of Detroit ;

Also: Petition of Bernard Stroh, Joseph A. Krutz, Frederick A. Krutz, and 880 others, for the same purpose ;

Also: Petition of Joseph Kuhn, Joseph Kive, and 320 other German citizens of Detroit, for the same purpose ;

Referred to the committee on municipal corporations.

By Mr. Scott: Petition of D. J. Campbelle, C. J. Trombly, and 320 others, citizens of Detroit, asking that the park commissioners be empowered to purchase land for a public park ;

Also: Petition of D. A. Ross and 282 others, for the same purpose;

Referred to the committee on municipal corporations.

By Mr. Kellogg: Petition of F. H. Spencer, Wesley Fox, and 235 others, citizens of Ionia county, asking for a law to protect fish in Grand river and its tributaries;

Referred to the committee on fisheries.

The following is the memorial:

*To the Legislature of the State of Michigan:*

PROTECT THE FISH IN GRAND RIVER AND ITS TRIBUTARIES.—The great decrease in fish in the interior of the State is occasioned by the dams which occur so frequently across our rivers and streams, debarring them from coming up to shoal waters and sand bars, where they spawn. Therefore, we the undersigned, citizens of the State of Michigan, ask your honorable body to cause each person or company owning a mill-dam to make a lock or shute sufficient for fish to pass through during the months of April and May, these being the months during which fish spawn. Therefore, each person or company owning a dam and neglecting to erect a lock or shute, shall pay a fine of five hundred dollars for every thirty days that the dam is allowed to remain without such lock or shute. Therefore, upon a petition of ten freeholders of any county which the stream passes through, shall present said petition to any justice of the peace of the county, he shall have power to bring such owner or company to justice.

By unanimous consent, the House took up the order of

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
Lansing, February 6, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 25, entitled

A bill to provide for the alteration or amendment of the articles of association of companies organized under chapter 95 of the compiled laws of 1871,

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on private corporations.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 6, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 24, entitled

A bill to amend section 190 of chapter 178 of the compiled laws, entitled "Courts held by justices of the peace," approved February 13, 1855,

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 5, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills :

## 1. Senate bill No. 16, entitled

A bill to provide for the construction of a State road in the county of Newaygo ;

## 2. Senate bill No. 23, entitled

A bill to legalize the tax roll of the township of Quilna, in the county of Missaukee, for the year eighteen hundred and seventy-two ;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The second named bill was read a first and second time by its title, and referred to the committee on local taxation.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 5, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

*Resolved* (the Senate concurring), That the State Librarian be instructed to purchase for the use of the Senate and House of Representatives, six copies of Barclay's Digest for 1872,

In the passage of which the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate*

The concurrent resolution was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 5, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill entitled

A bill to legalize the tax roll of the township of *Ætna*, in the county of Mecosta, for the year 1872;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 5, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 9, entitled

A bill to facilitate the collection of recognizances in criminal cases;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker, by unanimous consent, announced the following communication:

*Lansing, February 6, 1873.*

*To the Speaker of the House of Representatives :*

SIR:—I have this day deposited with the Clerk of the House, for the use of the members, 110 copies of the 4th annual report of the Secretary of State on births, marriages, and deaths in the State.

I desire especially to call attention to the recommendations therein contained, relative to amendments to the law providing for the registration of births, marriages, and deaths.

The law can be found in the report, commencing at page three hundred and eighty.

Very respectfully,

DANIEL STRIKER,

*Secretary of State.*

The communication was laid on the table.

Mr. Bottomley, previous notice having been given and leave being granted, introduced

A bill to incorporate the village of Capac.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Bonine, previous notice having been given and leave being granted, introduced

Joint resolution instructing the Board of State Auditors to pay for gas and gas fixtures introduced into the State buildings.

The bill was read a first and second time by its title and referred to the committee on ways and means.

Mr. Climie moved that the House resolve itself into committee of the whole on the general order.

Pending which,

On motion of Mr. Lewis,

The House adjourned.

*Lansing, Friday, February 7, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

Absent without leave, Messrs. Knapp, Withington and Robertson.

Mr. Haire asked and obtained leave of absence for Mr. Withington for the week on account of sickness.

Mr. Remer asked and obtained leave of absence for Mr. Knapp indefinitely on account of sickness.

Mr. Walton asked and obtained leave of absence for himself until Tuesday next.

Mr. Bonine asked and obtained leave of absence for Mr. Robertson, for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Bonine: Petition of H. H. Cooledge, R. W. Landon, W. J. Edwards, and 81 others, asking for an amendment to the charter of the city of Niles.

Referred to the committee on municipal corporations.

By Mr. Ackley: Petition of Nelson Hickey, G. A. Wallace, A. Diamond, and thirty others, of Saginaw county, asking for a ten-hour and lien law.

Referred to the committee on State affairs.

By Mr. Shaw: Petition of Leonidas McQuown, A. G. Mills, J. L. Hosmer, and 150 others living along the line of the Peninsular Railway, and who have been annoyed by trains running on said road, in killing their stock, asking that suitable measures be taken to compel said railroad company to fence their track, or to stop said company from running cars;

Referred to the committee on railroads.

By Mr Grant: Petition of C. Joslin and 80 others, citizens of Washtenaw county, asking for the passage of a law to com-



pel superintendents of the poor to itemize their accounts and to provide for the publication of the same ;

Referred to the committee on State affairs.

By Mr. Lockwood: Petition of Lond, Gay & Co., Smith, Kelley, and Dwight, and others, for a State road in the county of Alcona, to be known as the Pine River State Road ;

Referred to the committee on roads and bridges.

By Mr. Parsons: Petition of citizens of St. Joseph county for the purchase, by the State, of Stanley's great painting, "The trial of Red Jacket ;"

Referred to the committee on ways and means.

The following is the petition :

*To the Honorable, the Legislature of the State of Michigan, in council assembled :*

The undersigned your petitioners, residents of St. Joseph county, respectfully ask your Honorable body to take such measures as in your opinion may be proper to secure for the State, for the adornment of its projected Capitol, the great historical painting known as the "trial of Red Jacket," executed by that eminent painter, the late J. M. Stanley. This, the work of one of our own citizens, the fruit of years of toil and study, the largest of the kind ever painted, containing one hundred figures, its fidelity unquestioned, representing a most interesting episode in the history of one of the most remarkable men, chiefest among the most distinguished aboriginal tribes (the six nations) on this continent, we trust may belong to the people of this State.

Nothing in our opinion could add more to the embellishment of our new Capitol. Besides, by publicly honoring genius, we tend to create a noble emulation in the minds of our youth, and giving a history more and more valuable as time progresses.

Believing that our views will receive the careful attention of your Honorable body, and our wishes weighed by a laudable pride of this our great and growing commonwealth, we will ever pray, &c.

*Burr Oak, January 23, 1873.*

By Mr. E. C. Watkins: Petition of F. Tucker, J. W. Williamson, and 30 others, citizens of Kent county, asking that the law fixing the compensation of supervisors be so amended that the compensation shall be three dollars per day;

Referred to the committee on towns and counties.

By Mr. Chafey: Petition of M. Morris and 32 others, for the division of the 13th judicial circuit;

Also: Petition of S. W. Fowler and 160 others, for the division of the 13th judicial circuit;

Referred to the committee on ways and means.

The following is the petition:

*To the Senate and House of Representatives of the Legislature of the State of Michigan:*

We, the undersigned, citizens of the thirteenth judicial circuit, do petition your honorable body, for the re-organization of this circuit, and would respectfully call your attention to the following reasons as sufficient, without taking other things into consideration, to warrant your immediate action:

The thirteenth judicial circuit is composed of eleven counties, and extends from the northern boundary of Oceana county to the Straits of Mackinaw, a distance, in a direct line, of nearly 150 miles. It contains more than double the number of counties of any other circuit in the State, and embraces about one-half of this peninsula, north of Saginaw Bay.

There are no means of public conveyance, and the judge, in visiting the several counties, is compelled to go with private conveyance, over roads almost impassable, and usually in the most inclement season of the year.

The present judge, as they are informed and believe, resides in Leelanaw county near Traverse City, a distance of from fifty to one hundred miles from the largest counties in the circuit, and clients are necessarily put to great inconvenience and expense in employing attorneys, and in going back and forth to attend before the court at Chambers.

The counties are rapidly increasing in wealth and population,

and some of them are already entitled to more frequent sessions of court, and the amount of business demands that the number should be increased.

There must be held twenty-two regular terms in the circuit during the year, and one judge cannot, under the circumstances, do justice to the people. The business of the courts must necessarily be crowded, in the haste to meet appointments.

Since the last census the population of the thirteenth judicial circuit has increased one-half and the manufacturing interests have more than doubled.

In Benzie and Leelanaw counties valuable iron interests have already been developed, and similiar projects are on foot in nearly every county along the shore. There is direct communication by water with the mining districts of Lake Superior. Manufacturing interests are fast springing up, and the resources of the country are developing. Taking these things into consideration, we are satisfied that the formation of a new judicial circuit would be in the interests, and for the benefit of all the people.

And the undersigned would further represent that they earnestly protest against that part of the Senate bill introduced by Hon. E. L. Gray, of Newago, entitled a bill to reorganize the thirteenth, and create the nineteenth judicial circuits, which connects Leelanaw with Mason and Manistee counties, for the reason that, while such a division might lessen the labors of the Judge, it would not materially lessen the inconvenience of the present arrangement to the people.

By Mr. Speed: Petition of John Heffron and 981 others, asking that the park commissioners have authority to buy land for a public park for the city of Detroit.

Also: Petition of A. A. Dwight and 94 others for the same purpose;

Also: Petition of H. A. Graves and 132 others for the same purpose;

By Mr. Scott: Petition of Geo. F. Bagley and 450 others,

asking authority for the park commissioners to buy land for a public park for the city of Detroit.

Also: Petition of Judge H. B. Brown, and D. Bethune Duffield and 151 others for same purpose ;

Referred to the committee on municipal corporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on fisheries:

The committee on fisheries to whom was recommitted House bill No. 14, entitled

A bill to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kellogg,

The House concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges to whom was referred

A bill to vacate and discontinue a certain State road in the township of Jamestown, in the county of Ottawa,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to amend an act entitled "An act to lay out and establish a State road in the counties of Midland and Saginaw, and to appropriate certain non-resident highway taxes thereof," by adding a new section thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The bill was laid on the table.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to repeal section 124 of act number 169 of the session laws of 1869, being an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, 1869, and being section 1090 in chapter 21 of the compiled laws of 1871,

Respectfully report that previous to the passage of the law now proposed to be repealed, it was thought that many abuses were practiced in the assessment of property for the reason that taxes on property bid off to the State were not charged back to the county, and hence the inducement to increase the valuation of non-resident and worthless lands. Your committee are satisfied from investigation that such abuses were practiced, and that the present law has remedied the evil to a great extent. Each county has no more tax apportioned to it than it ought to raise, and when once apportioned, we see no hardship in a law which eventually compels the county to pay. They have, therefore, directed me to report the same back to the

House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. Walker,

The bill was laid on the table.

By the committee on ways and means:

The committee on ways and means to whom was referred

A bill to amend sections 79, 80, 81, and 120 of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved April 6, 1869, being sections 1045, 1046, 1047, and 1086, chapter 21 of the compiled laws of 1871,

Respectfully report that the object of this bill is to reduce the time of publishing the statements and notices of sale required by sections 79 and 120 from eight weeks to four. Your committee have added an amendment fixing a graded scale of prices for publishing such statements and notices of sale. Under the present law, newspapers, publishing a large number of descriptions, receive a compensation much too great, while those publishing only a few descriptions receive a compensation equally too small. The prices proposed by the amendment range from 15 to 40 cents for each description, according to the number.

Your committee therefore recommend that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Walton,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State Prison :

The committee on State Prison to whom was referred

A bill to amend sections 16 and 22 of chapter 266, being sections 8033 and 8039, of the compiled laws of 1871, entitled "County jails and the regulation thereof,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary to whom was referred

A bill concerning seals to be affixed to official documents.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill relating to the issue of executions on judgments obtained upon writs of attachments when not personally served,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bonine,

The House concurred in the amendments made to the bill by the committee .

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A petition of Frederick A. Long for relief,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying

Joint resolution, instructing the Board of State Auditors to make a settlement with Frederick A. Long,

Recommending that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, and was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

A bill to provide punishment for fraudulently removing or embezzling goods and chattels leased or subject to contracts of purchase,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public health :

The committee on public health, to whom was referred

A memorial of the board of supervisors of the county of Kent, asking for the passage of a law enabling boards of health in the several towns to condemn lands for cemetery purposes on behalf of counties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee on the judiciary, and ask to be discharged from the further consideration of the subject.

I. H. BARTHOLOMEW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The bill was referred to the committee on judiciary.

By the committee on local taxation :

The committee on local taxation, to whom was referred Senate bill No. 20, entitled

A bill to legalize the tax roll of the township of Pioneer, in the county of Missaukee, for the year 1872,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

PRESTON MITCHELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on local taxation :

The committee on local taxation, to whom was referred Senate bill No. 22, entitled

A bill to legalize the assessment roll of the township of Riverside, in the county of Missaukee, for the year 1872 ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

PRESTON MITCHELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on railroads :

The committee on railroads, to whom was referred the Memorial of the board of trade of the city of Detroit, asking the appointment of a committee of the Legislature to investigate the practice of the Grand Trunk Railway in respect to furnishing proper facilities for the shipping of freight eastward,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that such a committee be appointed, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the recommendation of the committee.

By the committee on railroads :

The committee on railroads, to whom was referred the following resolution :

*Resolved*, That the committee on railroads be and they are hereby requested to report to this House as soon as convenient the practicability of amending the railroad law so as to compel railroad companies to place the plank on their crossings at least one inch higher than the top of the rails,

Respectfully report that they have had the same under consideration, and are of the opinion that this would be entirely practicable, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman*.

Report accepted and committee discharged.

By the committee on education :

The committee on education, to whom was referred

A bill to amend sections nine and ten of an act for the relief of school districts, approved February 7, 1855, being 3721 and 3722, chapter 136, of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education :

The committee on education, to whom was referred

A bill to amend sections 4, 7, and 9 of an act entitled "An act to provide for county superintendents of schools, and to amend section 91 and to repeal sections 74, 85, 86, 87, 88, 89, and 90, of chapter 78 of the compiled laws," approved March 13th, 1867, and being sections 3759, 3762, and 3764, of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bonine,

The bill was laid on the table.

By the committee on education :

The committee on education, to whom was referred

A bill to amend section eleven, of chapter fifty-eight, of the revised statutes of 1846, being section 3592, in chapter 136, of the compiled laws relating to primary schools,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means :

The committee on ways and means to whom was referred

Joint resolution authorizing the Board of State Auditors to pay for gas and gas-fixtures,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and do further recommend that it be considered in manuscript, and ask to be discharged from the further consideration of the subject.

T. S. COBB, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bonine,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred the petition of Porter Davenport, Joseph Russell, and 169 others, to detach certain territory from the city of Saginaw and attach the same to the township of Carrollton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House with the accompanying bill, entitled

A bill to detach certain territory from the city of Saginaw and attach the same to the township of Carrollton.

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

A bill to legalize the tax roll of the township of Aetna, Mecosta county, for the year 1872;

Also,

Concurrent resolution relative to the purchase of six copies of Barclay's Digest by the State Librarian.

S. H. BLACKMAN, *Chairman.*

Report accepted.

#### NOTICES.

Mr. Hosner gave notice that on some future day he would ask leave to introduce

A bill to detach certain territory from the township of Gil-

more, in the county of Benzie, and attach the same to the township of Crystal Lake, in the same county.

Mr. A. Walker gave notice that on some future day he would ask leave to introduce

A joint resolution to provide for submitting the question of a general revision of the Constitution of the State of Michigan to the electors thereof.

Mr. C. W. Watkins gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to incorporate the village of Otsego," approved March 15th, 1865, and to add thereto a new section.

Mr. Welker gave notice that on some future day he would ask leave to introduce

A bill authorizing the board of supervisors of Branch county to make all needful rules and regulations for the further protection of fish in any or all the lakes and streams in said county.

Mr. L. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend section 2, chapter 169 of the revised statutes of 1846, relative to "the fees of officers and ministers of justice in criminal cases," being compiler's section 7478, chapter 240, of the compiled laws of 1871.

Mr. E. C. Watkins gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of act No. 274, session laws of 1871, entitled "An act to incorporate the village of Rockford;

Mr. Drake gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Reading, in Hillsdale county.

Mr. Mitchell gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to incorporate the city of Marshall," approved February 14, 1859.

Mr. Kellogg gave notice that on some future day he would ask leave to introduce

A bill for the protection of fish in Grand River and its tributaries.

Mr. Scott gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the Plymouth plank road company.

#### INTRODUCTION OF BILLS.

Mr. Hoyt, previous notice having been given and leave granted, introduced

A joint resolution relative to the State Library.

The joint resolution was read a first and second time by its title, and referred to the committee on State Library.

Mr. Hoyt, previous notice having been given and leave being granted, introduced

A bill to amend section 124 of chapter 21, being section 1090 of the compiled laws of 1871, and being an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon."

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Lockwood, previous notice having been given and leave being granted, introduced

A bill to provide for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State Road, and appropriating certain non-resident highway taxes therefor.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Lockwood, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to provide for the laying out, establishing, and constructing a State road in the county of Alcona, and appropriate certain non-resident high-

way taxes to aid in the construction of the same," being act No. 404 of the session laws of 1869, approved April 2, 1869.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Haire, previous notice having been given and leave being granted, introduced

A bill to change the name of the First Presbyterian Society of Mill Point to the First Presbyterian Society of Spring Lake.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Ripley, previous notice having been given, and leave being granted, introduced

A bill to legalize and facilitate the collection of taxes.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Brunson, previous notice having been given and leave being granted, introduced

A bill to amend section 40 of an act entitled "An act to incorporate the village of Ovid," approved March 24, 1869, as amended by act No. 263 of the session laws of 1871, and to repeal section 2 of said act No. 263.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Welker, previous notice having been given and leave being granted, introduced

A bill defining the duties and labors of county superintendents of schools, and the compensation therefor.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. E. C. Watkins, previous notice having been given and leave being granted, introduced

A bill to take up that part of a certain State road known as the "Grand Rapids and Greenville State Road," running across the southwest quarter of section twenty-two, township No. 9 north, of range 10 west.



The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Grant, previous notice having been given and leave being granted, introduced

A bill to amend the practice in courts of record in this State in relation to the entry of common orders, rules, and special motions.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Grant, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to provide for the trial of offenders upon information," approved February 12, 1859, by adding a new section thereto, to stand as section 11.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Grant, previous notice having been given and leave being granted, introduced

A bill relative to the sale of real estate on execution.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Speed, previous notice having been given and leave being granted, introduced

Joint resolution requesting our Senators and Representatives in Congress to use their efforts to procure authority from Congress for the construction of bridges over the Detroit river.

The bill was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Brunson, unanimous consent being given, introduced

A bill to legalize the tax roll of the township of Bingham in Clinton county, for 1872.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Robinson, previous notice having been given and leave being granted, introduced

A bill to amend sections 5, 7, 8, 14, 35, 36, and 44 of the revised charter of the village of Albion, being an act to incorporate the village of Albion, approved March 6, 1871, and being act No. 251 of the session laws of 1872.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill to amend sections 2, 12, and 27, of an act entitled "An act to incorporate the village of Paw Paw," approved March 28, 1867,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Rich,
Armstrong,	Grant,	Ripley,
Bailey,	Green,	Robinson,
Bartholomew,	Greusel,	Rose,
Blackman,	Haire,	Sanderson,
Bonine,	Harris,	Scott,
Bottomley,	Hertzler,	Shaw,
Briggs,	Hewitt,	Simpson,
Brunson,	Hoar,	Smith,
Buell,	Hosner,	Speed,
Burns,	Howard,	Striker,
Cady,	Hoyt,	Thomas,
Carter,	Kellogg,	Thompson,
Chafey,	Kipp,	Van Aken,
Climie,	Lamb,	Van Scoy,
Cook,	Lewis,	B. Walker,
Curtis,	Lockwood,	F. Walker,
Dinturff,	Luce,	J. Walker,
Drake,	Markey,	L. Walker,
Drew,	E. R. Miller,	Walton,
Edwards,	Noyes,	Warren,
Eggleston,	O'Dell,	Welker,
Fancher,	Parsons,	West,
Ferguson,	Perry,	Wheeler,
Fey,	Pierce,	Wixson,
Garfield,	Priest,	Zimmerman,
Garvelink,	Remer,	Speaker,
Gilmore,		

## NAYS.

0

Title agreed to.

On motion of Mr. Blackman,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript joint resolution, entitled

Joint resolution authorizing the board of State Auditors to pay for gas and gas fixtures,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Ripley,	
Armstrong,	Green,	Robinson,	
Bailey,	Greusel,	Rose,	
Bartholomew,	Haire,	Sanderson,	
Blackman,	Harris,	Scott,	
Bonine,	Hertzler,	Shaw,	
Bottomley,	Hewitt,	Simpson,	
Briggs,	Hoar,	Smith,	
Brunson,	Hosner,	Speed,	
Buell,	Howard,	Striker,	
Burns,	Hoyt,	Thomas,	
Cady,	Kellogg,	Thompson,	
Carter,	Kipp,	Van Aken,	
Chafey,	Lewis,	Van Scoy,	
Olimie,	Lamb,	A. Walker,	
Cobb,	Lockwood,	B. Walker,	
Cook,	Luce,	F. Walker,	
Curtis,	Markey,	J. Walker,	
Dinturff,	E. R. Miller,	L. Walker,	
Drake,	Mitchell,	Warren,	
Edwards,	Noyes,	E. C. Watkins,	
Eggleston,	O'Dell,	Welch,	
Fancher,	Parsons,	Welker,	
Ferguson,	Perry,	West,	
Fey,	Pierce,	Wheeler,	
Garfield,	Priest,	Wixson,	
Garvelink,	Remer,	Zimmerman,	
Goodrich,	Rich,	Speaker,	84

## NAYS.

0

Title agreed to.

On motion of Mr. Bonine,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS AND RESOLUTIONS.

Mr. Remer offered the following :

*Resolved*, That the committee authorized to inquire into the management of the Port Huron & Lake Michigan and Grand Trunk Railroads be permitted to hold sessions of their committee at such places along the lines of said roads as they may deem proper ;

Which was adopted.

Mr. Burns offered the following :

*Whereas*, The Board of Trade of the city of Detroit did, on the 25th day of January, memorialize this Legislature, asking for the appointment of a committee of the Legislature to investigate the practice of the Grand Trunk Railway in respect to furnishing proper facilities for the shipment of freight eastward ;

*And whereas*, This House did yesterday, by resolution, order the appointment of a committee of five to inquire into the practice of the Grand Trunk Railway aforesaid in respect to freight and passengers in connection with another railroad ; therefore,

*Resolved*, That the committee to inquire into the practices of the Grand Trunk Railway be also instructed to communicate with the Detroit Board of Trade, or the officers thereof, to the end that they may investigate the practices of the Grand Trunk Railway in the manner desired by the said Board of Trade ;

Which was adopted.

Mr. Shaw offered the following :

*Resolved*, That the committee on fish and fisheries, be instructed to inquire into the propriety and practicability of compelling owners of dams to build fish ladders instead of

shutes or locks, to enable the free passage of fish over the dams upon the streams in this State;

Which was adopted.

Mr. Gilmore offered the following:

*Resolved*, That the committee on education be and they are hereby requested to report to this House, as soon as convenient, whether in their opinion it is expedient to amend the law creating the office of county superintendent of schools so as to provide for an assistant superintendent in each legislative district in counties containing one or more such districts ;

Which was adopted.

Mr. Welker moved to take from the table

A bill to equalize and pay State bounties, and make the necessary appropriation therefor ;

Which motion prevailed.

On motion of Mr. Welker,

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. C. W. Watkins moved to take from the table

House bill No. 30, entitled

A bill to amend section 36 of an act to revise the laws for the incorporation of railroad companies, being section 2440 of chapter 35 of the compiled laws of 1871, as amended by act No. 43 of the session laws of 1872, approved March 29, 1872 ;

Which motion prevailed.

On motion of Mr. C. W. Watkins,

The bill was recommitted to the committee on railroads, with instructions to amend the same as follows: Insert in line three of recited section 37, after the word "thereon," the words "and in case of roads now in use, within six months from the passage of this act." Strike out the first *proviso*, in recited section 36 ; beginning at the word "Provided" in line 17, and closing with the word "cost" in line 21.

Add at the end of the recited section 36 the following:

“Any violation of the provisions of this act by any railway company, or by any person or corporation owning or operating such railway, shall be punished by a penalty of two hundred dollars for each and every week that they shall neglect to comply with the provisions of this act.”

Mr. Grant offered the following :

*Resolved*, That the committee on railroads be and they are hereby instructed to investigate into the expediency of prohibiting railroads from running their cars or working their shops upon the first day of the week, between the hours of six o'clock A. M. and 6 o'clock P. M., and to report to this House by bill or otherwise ;

Which was adopted.

Mr. Ackley moved to take from the table

A bill to amend an act entitled, “An act to lay out and establish a State road in the counties of Midland and Saginaw, and to appropriate certain non-resident highway taxes therefor,” by adding a new section thereto.

Which motion prevailed.

On motion of Mr. Ackley,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Speed offered the following :

*Resolved*, That the use of the hall of the House be and is hereby granted, on Wednesday evening of next week, for the purpose of a public lecture by S. B. McCracken of Detroit ; subject: “State Rights and Centralization—the Politics of the future.” Also that the use of the House be granted to Mr. A. Bradish, on Thursday evening of next week, for the purpose of a lecture by him on the life of Dr. Houghton, former State Geologist ;

Which was adopted.

Mr. Lamb offered the following :

*Resolved*, That the Republican [State] Central Committee

have the use of this hall on Wednesday, the 26th of February, for the purpose of holding a Republican State Convention;

Which was adopted.

GENERAL ORDER.

On motion of Mr. J. Walker,

The House went into committee of the whole on the general order,

Mr. Drake in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 24 entitled

A bill to amend section four of act 165 of the session laws of 1871, entitled "An act to compel children to attend school;"

2. House bill No. 38, entitled

A bill to amend section No. 13 of chapter 249, of the compiled laws of 1871, relative to offenses against chastity, morality, and decency, being section 7702;

3. House bill No. 42, entitled

A bill to amend an act entitled "An act to amend section 57 of chapter 90, of the revised statutes of 1846, and the acts amendatory thereof, approved January 29, 1858, relative to the examination of witnesses in cases of chancery," approved April 6, 1869, being section 5093 of the compiled laws of 1871.

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

WM. DRAKE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Welker,

The House concurred in the amendments made to the several named bills by the committee, and they were placed on the order of third reading.

On motion of Mr. Simpson,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

## PRESENTATION OF PETITIONS.

By Mr. Chafey: Petition of G. W. Annis, D. S. Harley, and 30 others, for the division of the 13th judicial circuit;

Referred to the committee on ways and means.

By Mr. Edwards: Remonstrance of B. Sharpley, Geo. Weber, and 270 others, against the passage of any bill giving power to any body to appropriate money in the city of Detroit for extraordinary purposes, such as a park, until after ballot by the people on the same;

Also: Remonstrance of F. Adams, W. Parker, J. Gibson, and many others, for the same purpose;

Also: Remonstrance of S. Moore and 50 others, for the same purpose;

Also: Remonstrance of Butler Ives and others for the same purpose;

Also: Remonstrance of J. M. Jones and 25 others for the same purpose;

Referred to the committee on municipal corporations.

By Mr. Caplis: Petition of Digby V. Bell and 35 others, asking that the park commission be authorized to buy land for a park for the city of Detroit;

Also: Petition of 44 members of the Arbeiter Society for the same purpose;

Also: Petition of T. S. Christie and 17 others for the same purpose;

Referred to the committee on municipal corporations.

By Mr. Eggleston; Petition of N. L. Avery and 41 others, asking relief for Francis Williams from liability to the State for her care in the Insane Asylum;

Also: Petition from the officers of the Fulton Street Ceme-



tery Association of Grand Rapids, asking the passage of a law authorizing them to sell unoccupied lots.

By Mr. Bottomley : Petition of Henry Morgan and 102 others, for the repeal of the law establishing the Muzzy and Lynn State road, in the county of St. Clair.

Referred to the committee on roads and bridges.

#### REPORTS OF STANDING COMMITTEES.

By the committee on railroads :

The committee on railroads to whom was referred a bill entitled

A bill to authorize railroad companies to convey their franchises and property under certain circumstances,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Remer,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation :

The committee on local taxation, to whom was referred Senate bill No. 23, entitled

A bill to legalize the tax roll of the township of Quilna, in the county of Missaukee, for the year 1872,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

PRESTON MITCHELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Ogemaw, in the county of Iosco,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Lewis,

The rules were suspended, and the bill was placed on the order of third reading.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, February 7, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate manuscript bill, entitled

A bill to reorganize the thirteenth and fourteenth judicial circuits, and to create the nineteenth judicial circuit;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

## NOTICES.

Mr. Eggleston gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids, approved April 2, 1850, as amended by the several acts amendatory thereof," approved March 14, 1871 ;

Also,

A bill to establish and organize a police court in the city of Grand Rapids.

Mr. A. Walker gave notice that on some future day he would ask leave to introduce

A bill to provide for the removal of attachments, the same being a new section to chapter 201 of the compiled laws of 1871, being an act relative to proceedings against debtors by attachment, to stand as section 32.

Mr. Warren gave notice that on some future day he would ask leave to introduce

A bill to amend section 13, chapter 136 of an act entitled "An act for the relief of school districts," approved February 7, 1855, being section 3725 of the compiled laws of 1871.

Mr. L. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend section 20 of act No. 372, laws of 1867, entitled "An act to revise the charter of the city of Flint," approved March 20, 1867, section 22 of said act 372 as amended by section 1 of act No. 21, laws of 1872, approved April 28, 1872, and section 36 of said act 372, as amended by act No. 228, laws of 1871, approved March 18, 1871.

Mr. Scott gave notice that on some future day he would ask leave to introduce

A bill to amend section 45 of chapter 46, compiled laws of 1871.

Mr. Hosner gave notice that on some future day he would ask leave to introduce

A bill to organize the township of Lake in the county of Benzie.

Mr. E. R. Miller gave notice that on some future day he would ask leave to introduce

A bill to enact a law to regulate the practice of dentistry in the State of Michigan.

Mr. Breitung gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to incorporate the city of Marquette," being act No. 202 of the session laws of 1871, approved February 27, 1871;

Also,

A bill to organize the township of Tilden in the county of Marquette.

#### INTRODUCTION OF BILLS.

Mr. Fancher, previous notice having been given and leave being granted, introduced

A bill requiring all actions hereafter brought in the courts of this State to be brought in the name of the real party in interest.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Wixson, unanimous consent being given, introduced

A bill to provide for the laying out and construction of a State road in the county of Sanilac, to be known as the Elmer State road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Harris, unanimous consent being given, introduced

A bill to lay out and establish the Rock Harbor and Washington Harbor State road, in Keweenaw county.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Noyes, previous notice having been given, and leave being granted, introduced

A bill to amend sections 1 and 2 of act No. 365 of the session laws of 1869, entitled "An act to revise the charter of the village of Chelsea," approved March 30, 1869.

The bill was read a first and second time by its title and referred to the committee on municipal corporations.

Mr. Shaw, previous notice having been given and leave being granted, introduced

A bill to amend sections 2 of article 2, and article 3, and sections 2 and 4 of article 6, of an act entitled "An act to incorporate the village of Eaton Rapids, approved April 15, 1871, the same being act No. 275 of the session laws of 1871."

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Breitung, unanimous consent being given, introduced Joint resolution asking Congress to provide for the early construction of a Niagara Falls Ship Canal.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Caplis, previous notice having been given and leave being granted, introduced

A bill requiring the township of Springwells, in the county of Wayne, to pay for the paving of Fort street.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

#### THIRD READING OF BILLS.

House bill No. 24, entitled

A bill to amend section four of act 165 of the session laws of 1871, entitled "An act to compel children to attend school,"

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Chamberlain moved to amend the bill by inserting in lines 9 and 11, after the word assessor the words "and treasurer;"

Which motion prevailed.

On motion of Mr. Shaw,

The bill was referred to the committee on education.

House bill No. 38, entitled

A bill to amend section numbered 13 of chapter 249, of the compiled laws of 1871, relative to offenses against chastity, morality, and decency, being section 7702,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robertson,
Armstrong,	Grant,	Rose,
Bailey,	Green,	Sanderson,
Bartholomew,	Greusel,	Scott,
Blackman,	Haire,	Sessions,
Bonine,	Harris,	Shaw,
Bottomley,	Hertzler,	Simpson,
Breitung,	Hewitt,	Smith,
Briggs,	Hoar,	Speed,
Brunson,	Hosner,	Striker,
Buell,	Howard,	Thomas,
Burns,	Hoyt,	Thompson,
Cady,	Kellogg,	Van Aken,
Caplis,	Kipp,	Van Scoy,
Carter,	Lamb,	A. Walker,
Chafey,	Lewis,	B. Walker,
Chamberlain,	Luce,	F. Walker,
Climie,	Markey,	J. Walker,
Cobb,	E. R. Miller,	L. Walker,
Cook,	Mitchell,	Warren,
Curtis,	Morse,	C. W. Watkins,
Dinturff,	Noyes,	E. C. Watkins,
Drake,	O'Dell,	Welch,
Edwards,	Perry,	Welker,
Fancher,	Pierce,	West,
Ferguson,	Priest,	Wheeler,
Fey,	Remer,	Wixson,
Garfield,	Rich,	Zimmerman,
Garvelink,	Robinson,	Speaker,
Gilmore,		

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#### NAYS.

Mr. Lockwood,      Mr. Ripley,

2

The question being on agreeing to the title,

On motion of Mr. Speed,

The title was amended by striking out the word "thirteen" and inserting the word "twelve" in lieu thereof.

The title, as amended, was then agreed to.

House bill No. 42, entitled

A bill to amend an act entitled "An act to amend section fifty-seven of chapter ninety of the revised statutes of 1846, and the acts amendatory thereof, approved January 29, 1858, relative to the examination of witnesses in cases in chancery," approved April 6, 1869, being section 5093 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

<b>Mr. Ackley,</b>	<b>Mr. Gilmore,</b>	<b>Mr. Robinson,</b>
Armstrong,	Goodrich,	Robertson,
Bailey,	Grant,	Rose,
Bartholomew,	Green,	Sanderson,
Blackman,	Grensel,	Scott,
Bonine,	Haire,	Sessions,
Bottomley,	Hertzler,	Shaw,
Breitung,	Hewitt,	Simpson,
Briggs,	Hoar,	Smith,
Brunson,	Hosner,	Speed,
Burns,	Howard,	Striker,
Cady,	Hoyt,	Thomas,
Caplis,	Kellogg,	Thompson,
Carter,	Kipp,	Van Aken,
Chafey,	Lamb,	Van Scoy,
Chamberlain,	Lewis,	A. Walker,
Olimie,	Lockwood,	B. Walker,
Cobb,	Luce,	F. Walker,
Cook,	Markey,	J. Walker,
Curtis,	E. R. Miller,	L. Walker,
Dinturf,	Mitchell,	Warren,
Drake,	Morse,	C. W. Watkins,
Drew,	Noyes,	E. C. Watkins,
Edwards,	O'Dell,	Welch,
Eggleston,	Perry,	Welker,
Fancher,	Pierce,	West,
Ferguson,	Priest,	Wheeler,
Fey,	Remer,	Wixson,
Garfield,	Rich,	Zimmerman,
Garvelink,	Ripley,	Speaker,

## NAYS.

Mr. Harris,

1

The question being an agreeing to the title,

Mr. Eggleston moved that the title be amended so as to read as follows :

“A bill to amend section 57 of chapter 176, being section 5093 of the compiled laws of 1871, relative to cases in chancery;”

Which motion prevailed.

The title, as amended, was then agreed to.

House manuscript bill, entitled

A bill to organize the township of Ogemaw, in the county of Iosco,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,

Mr. Garvelink,

Mr. Robinson,

Armstrong,

Goodrich,

Robertson,

Bailey,

Grant,

Rose,

Bartholomew,

Green,

Sanderson,

Blackman,

Greusel,

Scott,

Bonine,

Haire,

Sessions,

Bottomley,

Harris,

Simpson,

Breitung,

Hertzler,

Smith,

Briggs,

Hewitt,

Speed,

Brunson,

Hoar,

Striker,

Buell,

Hosner,

Thompson,

Burns,

Howard

Van Aken,

Cady,

Hoyt,

Van Scoy,

Caplis,

Kellogg,

A. Walker,

Carter,

Kipp,

B. Walker,

Chafey,

Lamb,

F. Walker,

Climie,

Lewis,

J. Walker,

Cobb,

Lockwood,

L. Walker,

Cook,

Luce,

Warren,

Curtis,

Markey,

C. W. Watkins,

Dinturff,

Morse,

E. C. Watkins,

Drake,

Noyes,

Welch,

Drew,

O'Dell,

Welker,

Edwards,

Perry,

West,

Eggleston,

Pierce,

Wheeler,



Mr. Fancher, Ferguson, Fey, Garfield,	Mr. Priest, Remer, Rich, Ripley,	Mr. Wixson, Zimmerman, Speaker,	
	NAYS.		86 0

Title agreed to.

On motion of Mr. Lockwood,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MOTIONS, AND RESOLUTIONS.

Mr. Hoyt moved to take from the table

A bill to amend sections 4, 7, and 9 of an act entitled "An act to provide for county superintendents of schools, and to amend section 91 and to repeal sections 74, 85, 86, 87, 88, 89 and 90, of chapter 78 of the compiled laws," approved March 13th, 1867, the same being chapter 139 of the compiled laws of 1871;

Which motion prevailed.

On motion of Mr. Hoyt,

The bill was then ordered printed, referred to the committee the whole, and placed on the general order.

Mr. Greusel offered the following :

*Whereas*, Bills are introduced every day without previous notice being given, therefore,

*Resolved*, That the rule of giving previous notice be dispensed with for and during the remainder of this session ;

Which was not adopted.

#### GENERAL ORDER.

On motion of Mr. Hoyt,

The House went into committee of the whole on the general order,

Mr. Thomas in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bill :

1. House bill No. 50, entitled

A bill to repeal an act entitled "An act relating to interest upon installments falling due upon written contracts," approved February 19th, 1869, being section 1637 of the compiled laws of 1871;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bills:

2. House bill No. 14, entitled

A bill to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

3. House bill No. 52, entitled

A bill to amend an act entitled "An act for the protection of the rights of females," section 5524, compiled laws 1871, chapter 178;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

4. House bill No. 60, entitled

A bill to amend section 1 of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869, being section 2093 of the compiled laws of 1871;

And have directed their chairman to report the same back

to the House, with the recommendation that it be recommitted to the committee on State affairs.

The committee of the whole have also had under consideration the following entitled joint resolution :

House joint resolution No: 3, entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to procure an amendment to the pension law granting pensions to the surviving soldiers of the war of 1812, so as to entitle all of said soldiers to a pension irrespective of time of service ;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

H. F. THOMAS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Climie,

The House concurred in the action of the committee relative to the first named bill, and

On motion of Mr. Lewis,

The title was laid on the table.

The second named bill and the joint resolution was placed on the order of third reading.

On motion of Mr. Priest,

The House concurred in the amendments made to the third named bill by the committee, and it was placed on the order of third reading.

On motion of Mr. Wixson,

The House concurred in the recommendation of the committee relative to the fourth named bill, and it was re-committed to the committee on State affairs.

Mr. Gilmore, unanimous consent being given, introduced

A bill to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor

The bill was read a first and second time by its title, and

On motion of Mr. Gilmore,

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

On motion of Mr. Garfield,

The House adjourned.

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*Lansing, Saturday, February 8, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Glover.

Roll called : quorum present.

Absence without leave: Messrs. Breitung, Briggs, Cobb, Edwards, Harris, Pierce, and Thompson.

Mr. Buell asked and obtained leave of absence for Mr. Briggs for the day.

Mr. Buell asked and obtained leave of absence for Mr. Breitung for the day.

Mr. E. R. Miller asked and obtained leave of absence for Mr. Cobb until Tuesday.

Mr. Greusel asked and obtained leave of absence for Mr. Edwards for the day.

Mr. Hoar asked and obtained leave of absence for Mr. Harris for the day.

Mr. Scott asked and obtained leave of absence for Mr. Pierce for the day.

Mr. Speed asked and obtained leave of absence for himself for the day.

Mr. Bartholomew asked and obtained leave of absence for Mr. Thompson until Tuesday.

#### PRESENTATION OF PETITIONS.

By Mr. C. W. Watkins : Petition of the president and board of trustees and others, citizens of the village of Otsego, asking for an amendment to the charter of said village ;

Referred to the committee on municipal corporations.

Also: Petition of D. R. Slocum, H. N. Stinson, and 85 others, citizens of the village of Rockford, Kent county, asking for an amendment to their charter;

Referred to the committee on municipal corporations.

By Mr. Green: Petition of E. C. Morse and 23 others, praying for the organization of the township of Otsego Lake, to consist of the unorganized county of Otsego;

Referred to the committee on towns and counties.

By Mr. Wixson: Petition of E. B. Harrington and 20 others, for the organization of a new township in the county of Sanilac, to be known as the township of Blue Ledge;

Referred to the committee on towns and counties.

By Mr. F. Walker: Petition of A. R. Owen, Hobart Page, and 50 others, that the office of county superintendent of schools be abolished;

Referred to the committee on education.

By Mr. Sanderson: Petition of J. L. Sutherland, George Cameron, and 35 others, praying for the abolition of the office of county superintendent of schools.

Referred to the committee on education.

By Mr. Warren: Petition of Dr. E. M. Winslow, A. S. Gibson, and 21 others, asking for the better protection of the rights of married women;

Referred to the committee on State affairs.

By Mr. Van Scoy: Petition of R. M. Steel and 94 others, of Clinton county, asking that an amendment to the Constitution be submitted to the people which will allow the licensing of the sale of ardent spirits;

Referred to the committee on judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges to whom was referred

A bill to repeal act number 475 of the session laws of 1871, entitled "An act to provide for laying out and constructing a State road in the townships of Muzzy and Linn in the county

of St. Clair, and making an appropriation of non-resident highway taxes for the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to organize the township of Isle Royal, in Keewenaw county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education :

The committee on education, to whom was re-committed House bill No. 24, entitled

A bill to amend section 4 of act No. 165 of the session laws of 1871, entitled "An act to compel children to attend school,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that

the bill, when so amended do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Grant,

The rules were suspended and the bill was placed on the order of third reading.

By the committee on local taxation :

The committee on local taxation, to whom was re-committed House bill No. 37, entitled

A bill to legalize the tax roll of the township of Dayton, in Newaygo county, for the year A. D. eighteen hundred and seventy-two, and to extend the time for the collection of the taxes of said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute, therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

PRESTON MITCHELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Grant,

The House concurred in the adoption of the substitute reported by the committee.

On motion of Mr. Grant.

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on railroads :

The committee on railroads, to whom was re-committed House bill No. 30, entitled

A bill to amend section 36 of an act to revise the laws

for the incorporation of railroad companies, being section 2440 of chapter 35 of the compiled laws of 1871, as amended by act No. 43, session laws of 1872, approved March 29, 1872 ;

With instructions to amend in certain particulars,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. C. W. Watkins,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. E. C. Watkins,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend section 2 of article 2 and article 3, and sections 2 and 4 of article 6 of an act entitled "An act to re-incorporate the village of Eaton Rapids," approved April 15, 1871, the same being act No. 275 of the session laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN L. BUELL, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shaw,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on religious and benevolent societies:



The committee on religious and benevolent societies, to whom was referred

A bill to change the name of the First Presbyterian Society of Mill Point, to the First Presbyterian Society of Spring Lake,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and asked to be discharged from the further consideration of the subject.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs to whom was referred

A bill to amend section one chapter 39, of revised statutes of 1846, being section 1960 chapter 53, of compiled laws of 1871, relative to disorderly persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on rules and joint rules :

The committee on rules and joint rules, to whom was referred the following resolution :

*Resolved*, That there be added to the Rules of this House a new rule, to stand as Rule No. —, which shall read as follows :

The report of every standing committee shall contain a statement of the objects of every bill (except bills of a local character), and the reasons for the recommendations made by

such committee, which report shall be printed in full in the journal,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Your committee, in presenting this report, take occasion to offer the following reasons therefor :

1. It will make the journals of the House of some value to the people by informing them of the character of the proposed legislation, and give them an opportunity to express their views before final action.

2. It will save much time in the discussion of bills.

3. It will secure more careful legislation.

4. In case of doubt as to the meaning of acts, these reports will serve as guides to officers whose duty it is to interpret and enforce the laws.

A. D. GILMORE, *Chairman.*

Report accepted and committee discharged.

Mr. Grant moved to amend the resolution by filling the blank, after the word "Rule," with the figures "58;"

Which motion prevailed.

Mr. Grant moved to reconsider the vote by which the House filled the blank with the figures "58;"

Which motion prevailed.

The question being on filling the blank with the figures "58;"

The same was not adopted.

Mr. Grant moved to fill the blank with the figures "70;"

Which motion prevailed.

The question being on the adoption of the resolution, thereby amending the standing rules of the House in that particular,

The same was not adopted, two-thirds of the members elect not voting therefor.

Mr. Welker moved to reconsider the vote by which the resolution was not adopted;

Which motion prevailed.

On motion of Mr. Gilmore,

The resolution was laid on the table.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend sections 5, 7, 8, 14, 35, 36, and 44, of the revised charter of the village of Albion, being "An act to incorporate the village of Albion," approved March 6, 1871, and being act No. 251 of the session laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to lay out and establish and improve a swamp land State road from Rock Harbor, in fractional township No. 65 north, of range 34 west, to Washington Harbor, a fractional township, No. 64 north, of range No. 38 west, on Isle Royale, in the county of Keweenaw,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. SESSIONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education :

The committee on education have directed me to report to the House the accompanying bills, entitled

A bill to amend sections 11, 77, 79, 91, and 75, and repeal section 49 of the primary school law, being sections 3592, 3646, 3648, and 3654 of the compiled laws of 1871 ;

Also,

A bill to amend sections 1 and 14 of an act for the relief of school districts; being sections 3713 and 3726 of the compiled laws, and to repeal section 12 of the same, being section 3724 of the compiled laws of 1871 ;

Also,

A bill to amend section 9 of an act prescribing the duties of the Superintendent of Public Instruction, being section 3476 of compiled laws of 1871 ;

Also,

A bill to amend sections 6 and 16 of an act to provide for the county superintendents of schools, being act number 55 of the session laws of 1867, approved March 13, 1867,

Recommending that the bills do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman.*

The several bills were read a first and second time by their titles, and were then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred Senate bill No. 24, entitled

A bill to amend section 190, chapter 178 of the compiled laws, of 1871, entitled " Courts held by justices of the peace," approved February 13, 1855,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

A memorial of the board of supervisors of the county of Kent, asking the passage of a law enabling boards of health in several towns to condemn lands for cemetery purposes, on behalf of counties,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, recommending that no legislation be had, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The memorial was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 9, entitled

A bill to facilitate to the collection of recognizances in criminal cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoyt,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to provide for the collection and preservation of criminal statistics of this State, and the compensation to be made therefor,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to provide for recording certain evidence concerning titles to land,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill supplementary to an act to provide for an incorporation of railway companies, approved February 12, 1855,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following :

EXECUTIVE OFFICE, }  
*Lansing, February 7, 1873.* }

*To the House of Representatives :*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to legalize the tax-roll of the township of Ætna, in the county of Mecosta, for the year 1872 ;

Also,

Concurrent resolution instructing the State Librarian to purchase six copies of Barclay's Digest.

JOHN J. BAGLEY.

The message was laid on the table.

The Speaker also announced the following:

EXECUTIVE OFFICE, }  
*Lansing, February 7, 1873.* }

*To the House of Representatives :*

Before another meeting of the Legislature, the corner stone of the new Capitol will be laid. It has occurred to me that the Legislature might desire to make this the occasion for some appropriate ceremonies, or at least might wish to designate what inscriptions shall be placed upon the corner stone, and what matter pertaining to the history, etc., of the State should be placed therein. I am of the opinion that the board of building commissioners would much prefer that the Legislature should express their wishes in the matter, than to assume the responsibility themselves.

JOHN J. BAGLEY.

The message was laid on the table.

Mr. Hoyt, by unanimous consent, offered the following:

*Resolved by the House* (the Senate concurring), That a joint committee, to be composed of three on the part of the House, and two on the part of the Senate, be appointed to take into consideration the special message of the Governor (this day transmitted to the Legislature), in reference to the laying of the corner stone of the new State Capitol.

On motion of Mr. Hoyt,

The rules were suspended and the resolution was placed on its immediate passage.

The resolution was then adopted.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, February 7, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 37, entitled

A bill to repeal an act entitled “An act in relation to collection of recognizances in criminal cases,” approved March 7, 1861, being sections 6884, 6885, and 6886, of the compiled laws of 1871;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 7, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:



## 1. Senate bill No. 31, entitled

A bill to amend sections two and fourteen of chapter eighty-eight of the compiled laws of 1871, entitled "An act to authorize the formation of corporations for the running, booming, and rafting of logs;"

## 2. Senate bill No. 32, entitled

A bill regarding over-due specific taxes;

## 3. Senate bill No. 33, entitled

A bill to extend the provisions of an act entitled "An act to authorize the Auditor General to assess, by estimate, specific taxes upon corporations which neglect or refuse to make the report as required by law upon which specific taxes are computed, and to provide for the collection of the same," approved March 29, 1872;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title and referred to the committee on lumber and salt interests.

The second and third named bills were read a first and second time by their titles and referred to the committee on ways and means.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 7, 1873.*

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills:

## 1. Senate bill No. 27, entitled

A bill to legalize the assessment roll of the township of Westphalia, in the county of Clinton, for the year eighteen hundred and seventy-two;

2. Senate bill No. 29, entitled

A bill to legalize the tax roll of the township of Reeder, in the county of Missaukee, for the year eighteen hundred and seventy-two;

3. Senate bill No. 30, entitled

A bill to amend section two of chapter sixty-four, being section 2094 of compiled laws of 1871, entitled "An act for the protection of game and musk-rats;"

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their titles, and referred to the committee on local taxation.

The third named bill was read a first and second time by its title, and referred to the committee on State affairs.

NOTICES.

Mr. Green gave notice that on some future day he would ask leave to introduce

A bill to organize the township of Otsego Lake, in the unorganized county of Otsego.

Mr. West gave notice that on some future day he would ask leave to introduce

A bill for the protection of speckled brook trout and other fish in the public and private waters of the State.

Mr. F. Walker gave notice that on some future day he would ask leave to introduce

A bill to compel all railroads in the State of Michigan to use the patent air brake on all passenger trains run in this State.

Mr. Lamb gave notice that on some future day he would ask leave to introduce

A bill providing for an appropriation for building additional cottages and other improvements for the State Public School.

Mr. Van Scoy gave notice that on some future day he would ask leave to introduce

A bill to prevent the destruction of muskrats and muskrats' houses in the marshes along the shore of Maple river, in the counties of Clinton and Gratiot.

Mr. West gave notice that on some future day he would ask leave to introduce

A bill to provide for the appointment of two professors of homeopathy in the department of medicine of the University of Michigan.

Mr. Lamb gave notice that on some future day he would ask leave to introduce

A bill providing for the support of the State Public School.

Mr. Chamberlain gave notice that on some future day he would ask leave to introduce

A bill making appropriation for the State Reform School for the years 1873 and 1874.

#### INTRODUCTION OF BILLS.

Mr. Eggleston, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids, approved April 2, 1850, as amended by the several acts amendatory thereof, approved March 14, 1871;

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Eggleston, previous notice having been given and leave being granted, introduced

A bill to establish and organize a police court in the city of Grand Rapids.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Drake, previous notice having been given and leave being granted, introduced

A bill to incorporate the village of Reading.

The bill was read a first and second time by its title and referred to the committee on municipal corporations.

Mr. L. Walker, previous notice having been given and leave being granted, introduced

A bill to amend section 20 of act No. 372, laws of 1867, entitled "An act to revise the charter of the city of Flint," approved March 20, 1867, section 22 of said act 372 as amended by section 1 of act No. 21, laws of 1872, approved April 28, 1872, and section 36 of said act 372, as amended by act No. 228, laws of 1871, approved March 18, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. E. R. Miller, previous notice having been given and leave being granted, introduced

A bill to enact a law to regulate the practice of dentistry in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on public health.

Mr. Breitung, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to incorporate the city of Marquette," being act No. 202 of the session laws of 1871, approved February 27, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Hosner, previous notice having been given, and leave being granted, introduced

A bill to detach certain territory from the township of Gilmore, in the county of Benzie, and attach the same to the township of Crystal Lake, in the same county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. A. Walker, previous notice having been given and leave being granted, introduced

Joint resolution to provide for submitting the question of a general revision of the Constitution of the State of Michigan to the electors thereof.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. A. Walker, previous notice having been given and leave being granted, introduced

A bill to provide for the removal of attachments, the same being a new section to chapter 201 of the compiled laws of 1871, being an act relative to proceedings against debtors by attachment, to stand as section 32.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. C. W. Watkins, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to incorporate the village of Otsego," approved March 15th, 1865, and to add thereto a new section.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. L. Walker, previous notice having been given and leave being granted, introduced

A bill to amend section 2, chapter 169 of the revised statutes of 1846, relative to "the fees of officers and ministers of justice in criminal cases," being compiler's section 7478, chapter 240, of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Welker, previous notice having been given and leave being granted, introduced

A bill defining the duties of township inspectors of schools.

The bill was read a first and second time by its title, and referred to the committee on education.

## THIRD READING OF BILLS.

House joint resolution No. 3, entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to procure an amendment to the pension law granting pensions to the surviving soldiers of the war of 1812, so as to entitle all of said soldiers to a pension irrespective of time of service,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Rich,
Armstrong,	Goodrich,	Robinson,
Bailey,	Grant,	Robertson,
Bartholomew,	Green,	Sessions.
Blackman,	Greusel,	Shaw,
Bonine,	Haire,	Simpson,
Bottomley,	Hertzler,	Smith,
Brunson,	Hewitt,	Striker,
Buell,	Hoar,	Thomas,
Burns,	Hosner,	Van Aken,
Oady,	Hoyt,	Van Scoy,
Carter,	Kellogg,	A. Walker,
Chafey,	Kipp,	B. Walker,
Chamberlain,	Knapp,	F. Walker,
Climie,	Lamb,	Warren,
Curtis,	Lewis,	C. W. Watkins,
Dinturff,	Lockwood,	E. C. Watkins,
Drake,	Luce,	Welch,
Fancher,	E. R. Miller,	Welker,
Ferguson,	Morse,	West,
Fey,	Noyes,	Wheeler,
Garfield,	O'Dell,	Wixson,
Garvelink,	Priest,	Speaker, 69

## NAYS.

Mr. Cook,	Ripley,	L. Walker,
Perry,		4

Title and preamble agreed to.

House manuscript bill, entitled

A bill to correct and legalize the assessment-roll of the

township of Dayton, in Newaygo county, for the year 1872, and to extend the time for the collection of taxes thereon,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robinson,
Armstrong,	Grant,	Robertson,
Bailey,	Green,	Sessions,
Bartholomew,	Greusel,	Shaw,
Blackman,	Haire,	Simpson,
Bonine,	Hewitt,	Smith,
Bottomley,	Hoar,	Striker,
Brunson,	Hosner,	Thomas,
Buell,	Hoyt,	Van Aken,
Burns,	Kellogg,	Van Scoy,
Cady,	Kipp,	A. Walker,
Carter,	Lamb,	B. Walker,
Chafey,	Lewis,	F. Walker,
Climie,	Lockwood,	Warren,
Cook,	Luce,	C. W. Watkins,
Curtis,	E. R. Miller,	E. C. Watkins,
Dinturff,	Morse,	Welch,
Drake,	Noyes,	Welker,
Fancher,	O'Dell,	West,
Ferguson,	Perry,	Wheeler,
Fey,	Priest,	Wixson,
Garfield,	Remer,	Zimmerman,
Garvelink,	Rich,	Speaker,
Gilmore,	Ripley,	

71

## NAYS.

0

Title agreed to.

On motion of Mr. Armstrong,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to amend section, 2 of article 2 and 4 of article 6 of an act entitled "An act to re-incorporate the village of Eaton Rapids," approved April 15, 1871, the same being act No. 275 of the session laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robertson,
Armstrong,	Grant,	Robinson,
Bailey,	Green,	Sessions,
Bartholomew,	Grensel,	Shaw,
Blackman,	Haire,	Simpson,
Bonine,	Hewitt,	Smith,
Bottomley,	Hoar,	Striker,
Brunson,	Hosner,	Thomas,
Buell,	Hoyt,	Van Aken,
Burns,	Kellogg,	Van Scoy,
Cady,	Kipp,	A. Walker,
Carter,	Lamb,	B. Walker,
Chafey,	Lewis,	F. Walker,
Chamberlain,	Lockwood,	Warren,
Climie,	Luce,	C. W. Watkins,
Cook,	E. R. Miller,	E. C. Watkins,
Curtis,	Morse,	Welch,
Dinturff,	Noyes,	Welker,
Drake,	O'Dell,	West,
Fancher,	Perry,	Wheeler,
Ferguson,	Priest,	Wixson,
Fey,	Remer,	Zimmerman,
Garfield,	Rich,	Speaker,
Garvelink,		70

## NAYS.

0

Title agreed to.

On motion of Mr. Shaw,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Shaw moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to amend sections 5, 7, 8, 14, 35, 36 and 44 of the revised charter of the village of Albion, being an act entitled "An act to incorporate the village of Albion," approved March 6, 1871, and being act No. 251 of the session laws of 1881 ;

Which motion prevailed.

On motion of Mr. Shaw,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority



of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Robinson,
Armstrong,	Greusel,	Robertson,
Bailey,	Haire,	Sessions,
Bartholomew,	Hewitt,	Shaw,
Blackman,	Hoar,	Smith,
Bonine,	Hosner,	Striker,
Bottomley,	Hoyt,	Thomas,
Brunson,	Kellogg,	Van Scoy,
Buell,	Kipp,	A. Walker,
Burns,	Lamb,	B. Walker,
Cady,	Lewis,	F. Walker,
Carter,	Lockwood,	L. Walker,
Climie,	Luce,	Warren,
Cook,	Morse,	C. W. Watkins,
Curtis,	Noyes,	E. C. Watkins,
Dinturff,	O'Dell,	Welch,
Fancher,	Parsons,	Welker,
Ferguson,	Perry,	West,
Fey,	Priest,	Wheeler,
Garfield,	Remer,	Wixson,
Garvelink,	Rich,	Zimmerman,
Goodrich,	Ripley,	Speaker,
Grant,		67

## NAYS.

Mr. E. R. Miller,	Mr. Van Aken,	2
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Title agreed to.

On motion of Mr. Shaw,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Van Scoy moved to discharge the committee on local taxation from the further consideration of Senate bill No. 27, entitled

A bill to legalize the assessment roll of the township of Westphalia, in the county of Clinton, for the year 1872;

Which motion prevailed.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate bill No. 27, entitled

A bill to legalize the assessment roll of the township of Westphalia, in the county of Clinton, for the year 1872,

Respectfully report the same back to the House in accordance with their order.

W. H. CURTIS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Van Scoy,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.		
Mr. Ackley,	Mr. Goodrich,	Mr. Robinson,
Armstrong,	Grant,	Robertson,
Bailey,	Green,	Sessions,
Bartholomew,	Greusel,	Shaw,
Blackman,	Haire,	Smith,
Bonine,	Hewett,	Striker,
Bottomley,	Hoar,	Thomas,
Brunson,	Hosner,	Van Aken,
Burns,	Hoyt,	Van Scoy,
Cady,	Kellogg,	A. Walker,
Carter,	Kipp,	B. Walker,
Chafey,	Lamb,	F. Walker,
Chamberlain,	Lewis,	L. Walker,
Climie,	Lockwood,	Warren,
Cook,	Luce,	C. W. Watkins,
Curtis,	E. R. Miller,	E. C. Watkins,
Dinturff,	Morse,	Welch,
Drake,	Noyes,	Welker,
Fancher,	Parsons,	West,
Ferguson,	Perry,	Wheeler,
Fey,	Priest,	Wixson,
Garfield,	Remer,	Zimmerman,
Garvelink,	Rich,	Speaker,
Gilmore,	Ripley,	
	NAYS.	
		71
		0

Title agreed to.

On motion of Mr. Van Scoy,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Rich moved that the House take a recess until 2 o'clock this afternoon,

Pending which,

Mr. Bonine moved that the House adjourn;

Which motion did not prevail.

The motion to take a recess then prevailed.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

MOTIONS AND RESOLUTIONS.

Mr. Van Scoy offered the following:

*Resolved*, That when the House adjourn it be until Monday at two o'clock, P. M.;

Which was not adopted.

Mr. Armstrong offered the following:

*Resolved*, That all bills proposing amendments to the general laws shall give the additions made in italics, and any portion to be left out in brackets, so that members will see at a glance what alteration is made.

On motion of Mr. Bonine,

The resolution was laid on the table.

The Speaker announced as the special committee to investigate the affairs of the Port Huron and Lake Michigan and Grand Trunk Railroads, Messrs. Remer, Hoyt, Burns, Perry and Hosner.

The Speaker also announced as the special committee to investigate the affairs of the Grand Rapids and Indiana Railroad, Messrs. F. Walker, Climie, Sanderson, O. W. Watkins and Eggleston.

## MESSAGES FROM THE SENATE.

The Speaker, by unanimous consent, announced the following :

SENATE CHAMBER, }  
*Lansing, February 8, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 38, entitled

A bill to amend section 7450 of the compiled laws of 1870, relative to fees of jurors ;

Which has passed the Senate by a majority of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 8, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

Senate manuscript bill, entitled

A bill to legalize the assessment of the taxes of the township of Buchanan, in the county of Berrien, for the year 1872, and to legalize the tax roll of said township for said year, and to extend the time for the collection of taxes for that year ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,  
On motion of Mr. Chamberlain,

The rules were suspended, and the bill was placed on the order of third reading.

By unanimous consent, the committee on ways on means reported as follows :

The committee on ways and means, to whom was referred Senate bill No. 33, entitled

A bill to extend the provisions of an act entitled "An act to authorize the Auditor General to assess, by estimate, specific taxes upon corporations which neglect or refuse to make the report as required by law, upon which specific taxes are computed, and to provide for the collection of the same," approved March 29, 1872,

Respectfully report that the sole object of the bill is to extend the provisions of the act referred to so as to include all parties who are liable, under our present law, to pay any specific taxes.

They therefore have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

The bill was then referred to the committee of the whole, and placed on the general order.

Mr. E. R. Miller, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A bill to amend section twenty-nine of an act in relation to Life Insurance companies transacting business in this State," as amended by session laws of eighteen hundred and seventy-two.

Mr. L. Walker, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A bill to amend section one of article 13, and section 5 of article 15 of act No. 348 of the session laws of 1869, entitled "An act to incorporate the village of Fenton."

The committee on ways and means, by unanimous consent, reported as follows:

The committee on ways and means to whom was referred Senate bill No. 32, entitled

A bill regarding overdue specific taxes,

Respectfully report that the object of this bill is to authorize what is now a practice, that is, to charge interest at seven per cent on specific taxes from the time they are due until payment thereof; also to authorize the imposing of a penalty of two per cent a month on refusal to pay such specific taxes, after ten days notice by the Auditor General that such specific tax is due.

Your committee, therefore, have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. FANCHER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred Senate bill No. 29, entitled

A bill to legalize the tax roll of the township of Reeder, in the county of Missaukee, for the year 1872,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM H. CURTIS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on local taxation:

The committee on local taxation, to whom was referred

A bill to legalize the tax roll of Bingham, in the county of Clinton, for the year 1872,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. CURTIS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

GENERAL ORDER.

On motion of Mr. Grant,

The House went into committee of the whole on the general order,

Mr. Welch in the chair.

After some time spent therein the committee rose and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled bill:

1. House bill No. 64, entitled

A bill to amend section three of chapter twenty-one, being section 969 of the compiled laws of 1871, in relation to the assessment of property and the collection and return of taxes thereon;

Have stricken out all after the enacting clause thereof, and have directed their chairman to report that fact to the House, asking concurrence therein.

The committee of the whole have also had under consideration the following entitled bills:

2. House bill No. 68, entitled

A bill to detach certain territory from the present township of Torch Lake, in the counties of Otsego and Antrim, and organize the same into a separate township, by the name of Central Lake;

3. Senate bill No. 10, entitled

A bill making appropriations for the completion of the new hall of the University of Michigan, and to pay deficit in the revenue of the University for the year ending June 30, 1873 ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

HENRY B. WELCH, *Chairman.*

Report accepted and committee discharged.

Mr. Lockwood moved that the House concur in the action of the committee, in striking out all after the enacting clause of the first-named bill.

Mr. Blackman demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Robertson,
Armstrong,	Hoar,	Sessions,
Bailey,	Hosner,	Shaw,
Bartholomew,	Knapp,	Simpson,
Bonine,	Lewis,	Smith,
Buell,	Lockwood,	Striker
Burns,	E. R. Miller,	Thomas,
Carter,	Morse,	Van Scoy,
Chafey,	Noyes,	A. Walker,
Chamberlain,	O'Dell,	B. Walker,
Climie,	Parsons,	L. Walker,
Cook,	Perry,	Warren,
Dinturff,	Priest,	C. W. Watkins,
Fancher,	Remer,	Welch,
Fey,	Ripley,	West,
Garvelink,	Robinson,	Zimmerman,
Grant,		

49

#### NAYS.

Mr. Blackman,	Mr. Gilmore,	Mr. Lamb,
Bottomley,	Green,	Luce,
Brunson,	Greusel,	Van Aken,
Cady,	Hewitt,	F. Walker,
Curtis,	Hoyt,	Welker,
Drake,	Kellogg,	Wheeler,
Ferguson,	Kipp,	Wixson,
Garfield,		

22



On motion of Mr. Shaw,

The title was laid on the table.

The second and third named bills were placed on the order of third reading.

The committee on lumber and salt interests, by unanimous consent, reported as follows:

The committee on lumber and salt interests, to whom was referred Senate bill No. 31, entitled

A bill to amend sections 2 and 14 of chapter 88 of the compiled laws of 1871, entitled "An act to authorize the formation of corporations for the running, booming, and rafting logs,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. K. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Hosner, previous notice having been given and leave being granted, introduced

A bill to organize the township of Lake in Benzie county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Thomas moved that when the House adjourn it be until 11 A. M. of Monday.

Mr. Knapp moved to amend the motion by making the hour 2 P. M. of Monday;

Which motion did not prevail.

The motion to adjourn until 11 A. M. of Monday did not then prevail.

Mr. Burns asked and obtained leave of absence for himself until Monday noon.

Mr. Sessions asked and obtained leave of absence for himself until Monday noon.

Mr. Ferguson asked and obtained leave of absence for Mr. Rose indefinitely on account of sickness.

Mr. E. R. Miller asked and obtained leave of absence for Mr. J. Walker until Monday noon.

On motion of Mr. Priest,  
The House adjourned.

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*Lansing, Monday, February 10, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Wood.

Roll called: quorum present.

Absent without leave: Messrs. Ackley, Burns, Caplis, Dinturff, Edwards, Fey, Greusel, Harris, Haywood, Hertzler, Howard, Knapp, Lewis, Markey, Mitchell, Pierce, Scott, Shaw, and Van Aken.

Mr. Wheeler asked and obtained leave of absence for Mr. Burns for the forenoon.

Mr. Drew asked and obtained leave of absence for Mr. Haywood indefinitely on account of sickness.

Mr. Hoar asked and obtained leave of absence for Mr. Caplis for the forenoon.

Mr. Bottomley asked and obtained leave of absence for Mr. Howard for the day.

Mr. Wheeler asked and obtained leave of absence for Mr. Markey for the day.

Mr. Welch asked and obtained leave of absence for Mr. Lewis for the day.

Mr. Welker asked and obtained leave of absence for Mr. Van Aken for the day.

Mr. Wheeler asked and obtained leave of absence for Mr. Pierce for the forenoon.

Mr. Zimmerman asked and obtained leave of absence for Mr. Knapp for the day.

Mr. Sanderson asked and obtained leave of absence for Mr. Mitchell until Wednesday next.

Mr. Blackman asked and obtained leave of absence for Mr. Hertzler for the day.

Mr. Hear asked and obtained leave of absence for Mr. Harris for the forenoon.

Mr. Welker asked and obtained leave of absence for Mr. Greusel for the forenoon.

Mr. Ripley asked and obtained leave of absence for Mr. Fey for the forenoon.

Mr. Wheeler asked and obtained leave of absence for Mr. Edwards for the day.

Mr. Carter asked and obtained leave of absence for Mr. Dinturff for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Green: Remonstrance of Richard Knight, W. J. Getty, R. W. Bagot, and 129 others, against detaching the township of Banks from the county of Antrim and attaching the same to the county of Charlevoix ;

Referred to the committee on towns and counties.

By Mr. Fancher: Petition of Alex. Findlater and 74 others, of Midland county, for the submission to a vote of the people of a substitute for section 47, article 4, of the State Constitution, so as to authorize the licensing of the sale of ardent spirits or other intoxicating liquors ;

Referred to the committee on State affairs.

By Mr. Morse: Petition of O. B. Sines and 10 others, residents of New Haven, Gratiot county, in favor of a homeopathic medical department of the University of Michigan, to be located in Saginaw ;

Referred to the committee on University and Normal schools.

By Mr. Kipp: Petition of S. D. Dauser, Fred. Green, and 84 others, of the township of Atlas, Genesee county, in favor of repealing the law creating county superintendents of schools;

Referred to the committee on education.

By Mr. Grant: Resolutions of the common council of the city of Ann Arbor, asking for an amendment to their city charter;

Also: Petition of E. W. Morgan and 58 others, citizens of Ann Arbor, for the same purpose;

Referred to the committee on municipal corporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

The petition of C. A. Glacy, James Cook, and 22 others, asking for the passage of a law requiring owners of stallions to file descriptions, etc., in county clerk's office;

Also: the petition of K. C. Barker, Leroy J. Heath, and 17 others, the same subject;

Also,

A bill to require owners of stallions kept for breeding purposes to file a certificate of pedigree with the county clerk, for the county or counties in which said stallion is kept;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred so much of the Governor's message as relates to the "wards of the State,"

Respectfully report that they have had the same under consideration, and have directed me to report to the House the accompanying bill, entitled

A bill to provide for the education of certain poor persons, in the Michigan Institution for Educating the Deaf, and Dumb, and the Blind,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and was then ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, February 8, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the House to transmit the following bill :

House manuscript bill, entitled

A bill to correct and legalize the assessment roll of the township of Dayton in Newaygo county for the year 1872, and to extend the time for the collection of the same ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

NOTICES.

Mr. Welker gave notice that on some future day he would ask leave to introduce

A bill to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of chapter 64 of the compiled laws of 1871, relative to the propagation of game, etc.

Mr. Thomas gave notice that on some future day he would ask leave to introduce

A bill to form a new judicial circuit, to be composed of Allegan and Ottawa counties.

Mr. Bartholomew gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 249 of the compiled laws of 1871, relative to the advertisements of patent medicines ;

Also,

A bill to prevent the advertisement and sale of drugs or medicines designed to produce criminal abortion.

Mr. Gilmore gave notice that on some future day he would ask leave to introduce

A bill to compel railroad companies to transport local freight on more favorable terms to shippers.

Mr. B. Walker gave notice that on some future day he would ask leave to introduce

A bill to amend section 3 of an act entitled "An act to incorporate the Union School district of the city of Owosso," approved March 22d, 1871.

Mr. Grant gave notice that on some future day he would ask leave to introduce

A bill to amend an act to incorporate the city of Ann Arbor, approved March 23, 1867, and also an act amendatory thereto, approved March 18, 1871.

#### INTRODUCTION OF BILLS.

Mr. L. Walker, previous notice having been given and leave being granted, introduced

A bill to amend section 1 of article 13, and section 5 of article 15 of act No. 348, of the session laws of 1869, entitled "An act to incorporate the village of Fenton."

The bill was read a first and second time by its title and referred to the committee on municipal corporations.

Mr. E. C. Watkins, previous notice having been given and leave being granted, introduced

A bill to amend section 1 of act No. 274, session laws of 1871, entitled "An act to incorporate the village of Rockford."

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Welker, previous notice having been given and leave being granted, introduced

A bill authorizing the board of supervisors of Branch county to make all needful rules and regulations for the further protection of fish in any or all the lakes and streams in said county.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. West, previous notice having been given and leave being granted, introduced

A bill for the protection of speckled brook trout and other fish in the public and private waters of the State.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Green, previous notice having been given and leave being granted, introduced

A bill to organize the township of Otsego Lake, in the unorganized county of Otsego.

The bill was read a first and second time by its title and referred to the committee on towns and counties.

Mr. Lamb, previous notice having been given and leave being granted, introduced

A bill providing for the support of the State Public School.

The bill was read a first and second time by its title, and referred to the committee on State Public School.

Mr. Lamb, previous notice having been given and leave being granted, introduced

A bill providing for an appropriation for building additional cottages and other improvements for the State Public School

The bill was read a first and second time by its title, and referred to the committee on State Public School.

Mr. Buell, unanimous consent being given, introduced

A bill to provide for the early taxation of the lands of the Chicago & Northwestern railroad company.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Lockwood, unanimous consent being given, introduced

A bill to provide for laying out, establishing, and constructing a State road in the county of Oscoda, and appropriating certain non-resident highway taxes to construct the same.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

#### MOTIONS AND RESOLUTIONS.

Mr. Bottomley offered the following :

*Whereas*, Upon page 8 of the Annual Report of the Inspectors of the State Prison, the statement is made that "the average rate now paid for convict labor is fifty-seven cents a day, and this while the common laborer in the streets receives two dollars per day ;" therefore,

*Resolved*, That the Inspectors of the State Prison be and are hereby required to inform this House of Representatives as soon as possible the reasons for this discrepancy, and suggestions as to the remedy therefor, and to instruct the Agent of the State Prison not to enter into any new contracts until such report shall be made.

*Resolved*, That the Clerk of this House be and is hereby required to transmit copies of this resolution to each of the Inspectors and the Agent of the State Prison ;

Which was adopted.

Mr. Luce offered the following :

*Whereas*, This Legislature has been petitioned by a large number of petitioners, asking for the repeal of an act creating the office of county superintendent of schools, and said



petitions have been referred to the committee on education and have not been reported upon by said committee ; and,

*Whereas*, A proper respect for the opinions of our petitioners requires some action to be taken by this House, therefore,

*Resolved*, That the sense of this House be taken on the question, Ought this Legislature to repeal said act ?

On motion of Mr. Warren,

The resolution was laid on the table.

Mr. E. R. Miller offered the following :

*Resolved*, That the committee on the Reform School report to this House, at their earliest convenience, upon the following matters pertaining to said School, namely : whether sufficient provision is now made by law for the defense of young boys charged with the commission of petty crimes, and committed therefor to this institution during the whole period of minority ; whether it is expedient to retain boys at all in said institution after they have attained the age of eighteen years ; the measures now adopted to secure homes for the boys in private families, and whether more effective means for this purpose are not desirable ; the hours daily devoted to work, and the kind of labor required of the boys, and whether the same is calculated to provide them with occupations or trades by which they may, when released, earn a living for themselves ; the amount of time devoted daily to study and the advantages for acquiring a common school education ; the library and the character of the books ; the number of meals daily, and the kind and quality of the food ; the time allowed daily for recreation, and the amusements provided ; the rewards for and incentives to good conduct ; the kind of punishments inflicted, and the frequency thereof ; the division and classification of the inmates, and the results of the department known as the "family house," and whether more buildings of a like character are desirable ; the means adopted for keeping a knowledge of boys after they are discharged, and the number, if it can be given, of those reclaimed, and of those

who have become criminals in after life; the amount of the earnings of the boys for the past two years, and the average cost to the State of maintaining each one over and above his earnings; the improvements to the buildings and the grounds that are necessary, with the estimated cost thereof, and the opinion of the committee whether the erection of a high wall of brick or stone inclosing the premises, or other additions and changes that will give the institution still more of the character of a prison rather than a school, are desirable;

Which was adopted.

#### GENERAL ORDER.

On motion of Mr. Welker,

The House went into committee of the whole, on the general order,

Mr. Smith in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 65, entitled

A bill to amend section eighteen of chapter twenty-six of the compiled laws of 1871, relative to laying out, altering, and discontinuing highways, approved March 15, 1861;

2. House bill No. 66, entitled

A bill to amend section 2 of compiled laws of 1871, of "An act to authorize the several townships of this State to raise money by tax, or to borrow money, to build or repair bridges," approved March 25, 1867, laws of 1867, page 135;

3. Senate bill No. 7, entitled

A bill to amend section 28 of chapter 267, being section 8074 of the compiled laws of 1871, relating to the State Prison and the government and discipline thereof;

4. House bill No. 71, entitled

A bill to amend an act entitled "An act to incorporate the village of Pentwater," by amending certain sections thereof, and adding a new section thereto;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

5. Senate bill No. 12, being

A bill making appropriations for the State Normal School;

6. Senate bill No. 20, entitled

A bill to legalize the tax roll of the township of Pioneer, in the county of Missaukee, for the year 1872;

7. Senate bill No. 23, entitled

A bill to legalize the tax roll of the township of Quilna, in the county of Missaukee, for the year eighteen hundred and seventy-two;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

L. J. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ferguson,

The House concurred in the amendments made to the first four mentioned bills by the committee, and they were placed on the order of third reading.

The fifth, sixth, and seventh named bills were placed on the order of third reading.

On motion of Mr. Rose,

The House took a recess until 2 o'clock this afternoon.

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#### AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

#### PRESENTATION OF PETITIONS.

By Mr. O. W. Watkins: Petition of A. V. Monroe, Eli Hart,

O. O. Gilkey, and 30 others, citizens of Plainwell, asking the repeal of the law creating county superintendents of schools;

Referred to the committee on education.

By Mr. Welker: Petition of M. Kinsley, Dr. Wilson, S. Wixson, and 125 others, citizens of Branch county, asking the repeal of the office of county superintendent of schools;

Referred to the committee on education.

By Mr. Van Scoy: Remonstrance of C. M. Hagadorn, E. M. Potter, D. C. Harrington, and 144 others, against the repeal of the charter of the village of Ovid;

Referred to the committee on municipal corporations.

By Mr. Caplis: Petition of E. B. Ward, Benj. Vernon, Peter Henkel, and 200 others, asking for an appropriation of thirty thousand dollars to the Detroit Medical College;

Referred to the committee on public health.

The following is the petition:

*To the Honorable General Assembly of the State of Michigan:*

We, the undersigned citizens of Detroit, do respectfully petition that the sum of thirty thousand dollars be appropriated to the Detroit Medical College, on condition that the said College furnish instruction to students in medicine and surgery on the same terms that students are received into Michigan University.

The grounds upon which we base this petition are as follows:

It seems eminently proper that the State should provide free instruction to all its citizens in the practical arts, trades, and sciences.

No provision has ever yet been made by the State for the teaching of Clinical Medicine and Surgery. Physicians who studied medicine in the State prior to the establishment of the Detroit Medical College were denied all opportunity for acquiring a practical knowledge of diseased conditions by the lack of the facilities for Clinical study.

Of all the medical schools in the State, the Detroit Medical College alone has been enabled, by a peculiar combination of

circumstances, to teach *all* the branches of medicine and surgery. Situated in the only large city in the State, it has been accessible to the sick poor of Detroit, who have come in large numbers to its clinics to get treatment and medicine. Its advanced students have been able to practice midwifery, under the guidance of their professors, at the homes of poor women. The large hospitals with which it is connected have furnished facilities for the study of surgery and practical medicine. It is evident that no small city could possibly provide a medical college with the same opportunities for the study of disease. A State hospital could, at the very most, supply to the public clinics only such cases of chronic diseases as could bear transportation. No acute cases of fevers or other diseases, no diseases of children, none of the maladies peculiar to women, no injuries such as are common to workmen in manufacturing communities, could be studied in a country town, even though that town were the seat of a State hospital.

The Detroit Medical College, therefore, while the only one in the State where clinical instruction has been attempted on a large scale, is also the only one now existing where such instruction is possible. The lack of a sufficient endowment has made it necessary for the trustees and faculty to charge comparatively high rates for tuition, and great numbers of students have been debarred by poverty from availing themselves of its advantages for clinical study.

As the interests of the State imperatively demand that its physicians should be thoroughly educated in their professions, as the study of the various diseases can be conducted only by the light of living examples, and, as, furthermore, only a large city can furnish the proper facilities for clinical instruction, therefore, we, the citizens of the largest city in Michigan, pray your honorable body that you make provision for the instruction of students in clinical medicine and surgery, by adding to

the endowment of the Detroit Medical College the sum of thirty thousand dollars.

By Mr. Scott: Memorial of the Executive Board of the State Agricultural Society and of the Michigan State Pomological Society ;

Referred to the committee on horticulture.

The following is the memorial :

*To the Honorable the Members of the House of Representatives and Senate of the State of Michigan :*

The undersigned, citizens of Michigan, petition that an annual appropriation of \$2,000 be granted to aid the Michigan State Pomological Society. This society represents an important and growing industry of the State, and one which should receive its fostering care. It represents the vineyards of the State. It includes in its work the peach orchards of the State. It devotes a large share of attention to the apple orchards. The small fruits are also special objects of its care. It seeks to increase the production and growth of the fruit, shade, and forest trees. It also encourages the manufacture or preservation of fruit by canning and drying processes. The canning of fruits and vegetables has attained immense proportions, and, as a branch of the fruit trade, takes high rank in commerce, and even in the limits of our favored fruit belt, it is entitled to especial mention.

We quote from the two establishments at Benton Harbor. The Phoenix Packing Company have canned the past season 25,000 cans strawberries, 12,500 cans gooseberries, 5,000 cans string beans, 40,000 cans tomatoes, 12,500 cans raspberries, 6,000 cans cherries, 70,000 cans green corn, 40,000 cans peaches,—in all, 210,000 cans.

The Benton Harbor Packing Company make a still larger showing, and have canned in 1872, 100,000 cans green corn, 160,000 cans peaches, 2,000 cans raspberries, 132,000 cans tomatoes, 30,000 cans strawberries,—in all 424,000 cans.

At South Haven, the canning establishment of F. J. Parks has packed over 30,000 packages of peaches.

Taking the amount of fruit sent to market, from South Haven, and the district for which it is a shipping center, it is estimated that 60,000 packages have been shipped 1872.

About the same amount was sent from Pier Cove, Saugatuck, and the vicinity of Holland.

From Spring Lake, Fruitport, Grand Haven, Black Lake, Muskegon, and White Lakes, 40,000 packages of peaches and other fruits were shipped, of which Spring Lake furnished 18,000 packages of peaches.

The following were among the shipments the past season from St. Joseph and Benton Harbor, by lake and rail: 776,308 packages peaches; 27,779 bushels strawberries; 16,499 barrels apples; 51,235 packages other fruits.

From stations north of Benton Harbor to Grand Junction there were 40,000 baskets of peaches shipped.

From stations south of Benton Harbor to Michigan City, there were 80,000 baskets of peaches shipped, besides plums, pears, and grapes.

From almost every railroad station in the State fruit has been shipped the past season, and there are now thousands of barrels of apples to be sold and shipped.

This is the fruit interest, in part, represented by the Michigan State Pomological Society.

This society is young, active, vigorous, and works by monthly meetings, and exhibitions by annual fairs, and by its orchard and general committees. It seeks to arouse a widespread interest in fruit culture. *Its aim is to make Michigan the leading fruit State of the Union.* This Society needs aid, and therefore we petition for this appropriation; and your petitioners will, etc., etc.

Signed in behalf of the State Pomological Society, at Lansing, February 6, 1873.

A. S. DYCKMAN, *President.*

S. I. FULLER, *Treasurer.*

J. P. THOMPSON, *Secretary.*

At a meeting of the executive board of the Michigan State Agricultural Society, held at Lansing, Thursday evening, February 6, after the reading of the foregoing memorial,

On motion of Hon. Witter J. Baxter, it was *Resolved*, That this Society, through its executive committee, join in the memorial to the Legislature in favor of an appropriation by the State of the sum of \$2,000 to the State Pomological Society.

GEORGE W. GRIGGS, *President*.

(Attest),

C. KIMBALL, *Secretary*.

By Mr. Caplis : Petition of Michael Henderson, asking that Springwells be compelled to pay for the improvement of Fort street ;

Referred to the committee on roads and bridges.

By Mr. Caplis : Petition of Valentine Hilsendegen and 300 others, asking that the park act be so amended as to give the Park Commissioners power to purchase lands for a park for the city of Detroit ;

Referred to the committee on municipal corporations.

#### REPORTS OF STANDING COMMITTEES.

By the committee on public lands :

The committee on public lands, to whom was referred

A bill to amend section 1 of an act entitled "An act to aid in the construction of that part of the Cass River and Bay City State road established under act number 345 of the laws of 1865, between the forks of Cass River and Unionville, in Tuscola county, and making an appropriation of swamp land therefor," and being act No. 311 of the session laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. SESSIONS, *Chairman*.

Report accepted and committee discharged.



The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations :

The committee on federal relations, to whom was referred

Joint resolution asking Congress to provide for the early construction of a Niagara Falls ship canal,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

THOMAS C. RIPLEY, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred the petition of Dr. E. M. Winslow, A. S. Gibson, and 21 others, of the town of Lee and vicinity, asking for the better protection of the rights of married women,

Respectfully report that they have had the same under consideration, and are forced to the conclusion that the petitioners are somewhat mistaken as to the existing state of the law relative to the subject matter of their petition. The petitioners recite "that as the law now stands in reference to settling the estates of deceased persons, much injustice may be and is sometimes done;" and as illustration or proof, they say : "When a husband and wife have jointly accumulated a competence for old age, if the wife die first, leaving no descendants, the property goes as a matter of course to the husband; but if the husband die first, all but the use of one-third of the real estate goes to the relations of the husband." This they pronounce "manifestly unjust and much against the moral sense of the petitioners," and they ask the Legislature "so to amend the law that justice and equity may be had in such cases."

If the petitioners mean that a husband and wife become owners of real estate in joint tenancy, then it is true if the wife die first, *whether she leave descendants or not*, the husband will become the sole owner by survivorship, and if the husband die first the wife will in like manner become sole owner. No injustice here.

If they mean the case of a husband and wife owning real and personal property equally in common, no matter which dies first, the survivor will still be the owner of an undivided half of the property, as before the death of the other.

If the petitioners refer to the distribution of property which belonged solely to the one who dies first,—if it be real estate and belong to the husband and he die first, leaving issue, then it is true the widow takes only the use of one-third of the real estate; but if he leave no issue the widow takes the whole, during her life, and if he leave no kindred she takes the whole estate in fee.

On the other hand, if it be real estate and belong to the wife, and she die first, the widowed husband is not entitled to one square inch of her land for a single moment after his wife's death. No matter what the quantity; no matter how much he may have increased the value by his labor and skill; no matter whether she had children or other heirs to inherit it, the husband has no right in it.

If it be personal property and belong to the husband and he die first, the widow takes first of all: all her articles of apparel and ornament, and all wearing apparel and ornaments of the deceased, \$250 00 worth of household furniture, and \$200 00 worth of other property to be selected by her.

Of the residue (if the husband leave children or the issue of deceased children) the widow takes one-third. If he leave only one child the widow takes half. If no child or issue of a deceased child the widow takes the whole up to \$1,000 00 and half the excess over \$1,000 00; and if the husband leave no father, mother, brother, sister, nor issue of brother or sister, the widow takes the whole.

If it be personal property, and belong to the wife, and she die first, leaving children, the husband takes one-third; if but one child, one-half. If no child, father, mother, brother, sister nor issue of brother or sister, the husband takes the whole.

Such is a brief statement of the main features of our law for the distribution of estates of deceased persons, bearing upon the question raised by this petition. The committee believe that if the petitioners will read it carefully they will readily see that the supposed injustice of which they complain does not exist; that the rights and interests of married women, in the particulars under consideration, have been so greatly extended and are so carefully guarded by the laws of this State, that nothing further in that direction is needed at present; that if legislation were to be had to place husband and wife on a more nearly equal footing, it must be legislation to improve the condition of the husband—not of the wife.

The committee have, therefore, directed me to report the petition back to the House, and recommend that the prayer of the petitioners be not granted, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grant,

The petition was laid on the table.

By the committee on private corporations:

The committee on private corporations, to whom was referred Senate bill No. 25, entitled

A bill to provide for the alteration or amendment of the articles of association of companies organized under chapter 95 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. G. EGGLESTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to detach certain territory from the township of Forest Home in the counties of Otsego and Antrim, and organize the same into a separate township by the name of Maybell,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ANDREW OLIMIE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on private corporations :

The committee on private corporations, to whom was referred

A bill to amend sections 6 and 7 of act No. 188 of the session laws of 1857, entitled "An act to provide for the incorporation of "Mechanics' Associations," approved February 17, 1857, being sections 2800 and 2801 of the compiled laws of 1871 ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, for the reason, that the act which this bill proposes to amend is declared in the first section thereof to be an act for the promoting the mechanics' arts in the State and for the relief of distressed mechanics ; while the proposed amendment, in the judgment of your committee, provides the means of organizing building associations under this act, contrary to the intention of the original act ; and your committee ask to be discharged from the further consideration of the subject.

E. S. EGGLESTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Drake,

The bill was laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to amend section 1 of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869, being section 2093 of the compiled laws of 1871;

Also, a petition of John Manning and others on the same subject;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute for said bill, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

S. H. BLACKMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kellogg,

The House concurred in the adoption of the substitute reported by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies :

The committee on religious and benevolent societies, to whom was recommitted

House bill No. 25, entitled

A bill to change the time of the annual meeting of St. Peter's Protestant Episcopal Church in the city of Hillsdale, from Wednesday to Monday, in Easter week, and to increase the number of vestrymen of said church from six to seven,

Respectfully report that said bill proposes to change the meetings of said corporation, and increase the vestrymen

thereof, in the manner indicated in the title, by an act of the Legislature.

Section 1 of article 15 of the constitution of this State provides that "corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes."

The committee regard the bill as meritorious, but are in doubt whether under this clause of the constitution special acts can be passed amending the articles of association of corporations created under the general law.

Not being versed in the law or in the construction of constitutional provisions of this kind, and the House having a committee composed of gentlemen of acknowledged legal learning, ability, and experience, your committee have instructed their chairman to report the bill back to the House with a recommendation that the same be referred to the committee on judiciary, for the purpose of obtaining, at the earliest practicable period, the views of that committee with respect to the constitutionality of said bill.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kellogg,

The bill was referred to the committee on judiciary.

#### NOTICES.

Mr. Caplis gave notice that on some future day he would ask leave to introduce

A bill to annex a part of the township of Springwells to the city of Detroit.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to grant the right of way to the Northern Central Michigan Railroad Company across the lands owned or held in trust by the State of Michigan, from Lansing to the Straits of Mackinaw.

Mr. Garvelink gave notice that on some future day he would ask leave to introduce

A bill to amend section 17 of chapter 25, being section 1242 of the compiled laws of 1871, relative to the duties of overseers in regard to the performance of labor on highways; the performance of such labor, or the commutation therefor, and application of moneys by the commissioners.

Mr. Bartholomew gave notice that on some future day he would ask leave to introduce

A bill to amend section one of "An act to prevent the adulteration of coal oils," which is in chapter 250, and section 7731 of the compiled laws;

Also,

A bill to amend section 5 of an act relating to offenses against the public health, chapter 250, section 7730 of the compiled laws of 1871.

Mr. Hoar gave notice that on some future day he would ask leave to introduce

A bill to amend section twenty-three of chapter 163 of the revised statutes of 1864, being section 7865 in chapter 259 of the compiled laws, entitled "The arrest and examination for trial, and taking bail."

#### INTRODUCTION OF BILLS.

Mr. Kellogg, previous notice having been given and leave being granted, introduced

A bill to detach certain territory from the township of Berlin and attach the same to the township of Easton, Ionia county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Speed, unanimous consent being given, introduced

A bill to establish a board of fish commissioners, and to prescribe their duties, and to make an appropriation for the artificial propagation of fish.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

## THIRD READING OF BILLS.

House bill No. 52, entitled

A bill to amend an act entitled "An act for the protection of the rights of females," section 5524, compiled laws 1871, chapter 178,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Gilmore,

The bill was laid on the table.

House bill No. 30, entitled

A bill to amend section 36 of an act to revise the laws for the incorporation of railroad companies, being section 2440 of chapter 35 of the compiled laws of 1871, as amended by act No. 43 of the session laws of 1872, approved March 29, 1872,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Sanderson,
Armstrong,	Grant,	Scott,
Bailey,	Green,	Sessions,
Bartholomew,	Greusel,	Shaw,
Blackman,	Haire,	Simpson,
Bonine,	Harris,	Smith,
Bottomley,	Hewitt,	Speed,
Briggs,	Hoar,	Striker,
Brunson,	Hosner,	Thomas,
Burns,	Hoyt,	Van Aken,
Cady,	Lamb,	Van Scoy,
Caplis,	Lockwood,	A. Walker,
Carter,	Luce,	B. Walker,
Chafey,	Markey,	J. Walker,
Climie,	Morse,	L. Walker,
Cook,	Noyes,	Warren,
Curtis,	O'Dell,	C. W. Watkins,
Dinturff,	Perry,	E. C. Watkins,
Drake,	Pierce,	Welch,
Eggleston,	Priest,	Welker,
Fancher,	Remer,	West,
Ferguson,	Rich,	Wheeler,



Mr. Fey,  
Garfield,  
Garvelink,  
Gilmore,

Mr. Ripley,  
Robinson,  
Robertson,  
Rose,

Mr. Withington,  
Wixson,  
Zimmerman,  
Speaker, 78

NAYS.

0

Title agreed to.

Mr. C. W. Watkins moved that the bill be ordered to take immediate effect ;

Which motion did not prevail.

House bill No. 68, entitled

A bill to detach certain territory from the present township of Torch Lake, in the counties of Otsego and Antrim, and organize the same into a separate township by the name of Central Lake,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Green moved to amend the bill by substituting the following for section one :

“SECTION 1. *The People of the State of Michigan enact,* That townships numbered thirty-one north, of ranges five, six, seven, and that portion of eight west lying east of Torch Lake in Antrim county, be and the same are hereby detached from the present township of Torch Lake, in the counties of Otsego and Antrim, and organized into a separate township by the name of Central Lake ;”

Pending which,

Mr. Greusel moved to re-commit the bill to the committee on towns and counties ;

Which motion did not prevail.

The motion to amend then prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,

Mr. Gilmore,  
Goodrich,  
Grant,  
Green,

Mr. Rose,  
Sanderson,  
Scott,  
Sessions,

Mr. Blackman,  
Bonine,  
Bottomley,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Climie,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Eggleston,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,

Mr. Greusel,  
Haire,  
Harris,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Lamb,  
Lockwood,  
Luce,  
Markey,  
Morse,  
Noyes,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,  
Robinson,  
Robertson,

Mr. Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Warren,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

76

## NAYS.

Mr. Ripley,

1

Title agreed to.

On motion of Mr. Green,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 10, entitled

A bill making appropriations for the completion of the new hall of the University of Michigan, and to pay deficit in the revenue of the University for the year ending June 30, 1873,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Bottomley,

Mr. Garvelink,  
Gilmore,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,

Mr. Rose,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,

Mr. Briggs,	Mr. Hewitt,	Mr. Speed,
Brunson,	Hoar,	Striker,
Buell,	Hosner,	Thomas,
Burns,	Hoyt,	Van Aken,
Cady,	Kellogg,	Van Scoy,
Caplis,	Lamb,	A. Walker,
Carter,	Markey,	B. Walker,
Chafey,	Morse,	J. Walker,
Climie,	Noyes,	L. Walker,
Cook,	O'Dell,	C. W. Watkins,
Curtis,	Perry,	Welch,
Dinturff,	Pierce,	Welker,
Drake,	Priest,	West,
Eggleston,	Remer,	Wheeler,
Fancher,	Rich,	Withington,
Ferguson,	Ripley,	Wixson,
Fey,	Robinson,	Zimmerman,
Garfield,	Robertson,	Speaker, 75
NAYS.		

Mr. Lockwood, Mr. Luce, 2

Title agreed to.

Mr. Grant moved that the bill be ordered to take immediate effect ;

Which motion did not prevail.

Senate manuscript bill, entitled

A bill to legalize the assessment of the taxes of the township of Buchanan, in the county of Berrien, for the year 1872, and to legalize the tax roll of said township for said year, and to extend the time for the collection of taxes for that year,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Scott,
Armstrong,	Green,	Sessions,
Bailey,	Greusel,	Shaw,
Bartholomew,	Haire,	Simpson,
Blackman,	Harris,	Smith,
Bonine,	Hewitt,	Speed,
Bottomley,	Hoar,	Striker,
Briggs,	Hosner,	Thomas,
Brunson,	Hoyt,	Van Aken,

Mr. Burns,  
Cady.  
Caplis,  
Carter,  
Chafey,  
Climie,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Eggleston,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,

Mr. Lamb,  
Lockwood,  
Luce,  
Markey,  
Morse,  
Noyes,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,  
Robertson,  
Sanderson,

Mr. Van Scoy,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Warren,  
O. W. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

73

NAYS.

0

Title agreed to.

On motion of Mr. West,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 71, entitled

A bill to amend an act entitled "An act to incorporate the village of Pentwater" by amending certain sections thereof, and adding a new section thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Bottomley,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Carter,  
Chafey,

Mr. Gilmore,  
Grant,  
Green,  
Greusel,  
Haire,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Lamb,  
Luce,  
Markey,  
Morse,  
Noyes,

Mr. Scott,  
Sessions,  
Shaw,  
Smith,  
Speed,  
Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Warren,

Mr. Climie,  
Cook,  
Dinturff,  
Drake,  
Eggleston,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,

Mr. O'Dell,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,  
Robertson,  
Sanderson,

Mr. C. W. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

79

NAYS.

0

Title agreed to.

On motion of Mr. Wheeler,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 66, entitled

A bill to amend section 2 of compiled laws of 1871, of "An act to authorize the several townships of this State to raise money by tax, or to borrow money to build or repair bridges," approved March 25, 1867, laws of 1867, page 135,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. West,

The bill was recommitted to the committee of the whole.

Senate bill No. 12, entitled

A bill making appropriations for the State Normal School,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Blackman,  
Bottomley,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,

Mr. Grant,  
Green,  
Greusel,  
Haire,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Lamb,  
Lockwood,

Mr. Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
A. Walker,

Mr. Carter,  
Chafey,  
Climie,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Eggleston,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Gilmore,

Mr. Markey,  
Morse,  
Noyes,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,  
Robinson,  
Robertson,  
Sanderson,  
Scott,

Mr. B. Walker,  
J. Walker,  
L. Walker,  
Warren,  
C. W. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

71

NAYS.

Mr. Luce,

1

Title agreed to.

Senate bill No. 20, entitled

A bill to legalize the tax roll of the township of Pioneer, in  
the county of Missaukee, for the year 1872,

Was read a third time and passed, a majority of all the mem-  
bers elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Blackman,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Carter,  
Chafey,  
Climie,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Eggleston,  
Faneher,  
Ferguson,  
Fey,

Mr. Gilmore,  
Grant,  
Green,  
Greusel,  
Haire,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Lamb,  
Luce,  
Markey,  
Morse,  
Noyes,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,

Mr. Robertson,  
Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Van Aken,  
Van Scoy,  
B. Walker,  
J. Walker,  
L. Walker,  
Warren,  
Welch,  
Welker,  
West,  
Wheeler,  
Wixson,

Mr. Garfield, Garvelink,	Mr. Ripley, Robinson, NAYS.	Mr. Zimmerman, Speaker,	66 0
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Title agreed to.

On motion of Mr. Ferguson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 22, entitled,

A bill to legalize the assessment roll of the township of Riverside, in the county of Missaukee, for the year eighteen hundred and seventy-two,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley, Armstrong, Bailey, Blackman, Bottomley, Brunson, Buell, Burns, Cady, Carter, Chafey, Climie, Cook, Curtis, Dinturff, Drake, Fancher, Ferguson, Fey, Garfield, Garvelink, Gilmore, Grant,	Mr. Green, Greusel, Haire, Hewitt, Hoar, Hosner, Hoyt, Lockwood, Luce, Markey, Morse, Noyes, O'Dell, Perry, Pierce, Priest, Remer, Rich, Ripley, Robinson, Robertson, Sanderson, Scott,	Mr. Sessions, Shaw, Simpson, Smith, Speed, Striker, Van Aken, Van Scoy, A. Walker, B. Walker, J. Walker, L. Walker, Warren, C. W. Watkins, Welch, Welker, West, Wheeler, Withington, Wixson, Zimmerman, Speaker,	68 0
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NAYS.

Title agreed to.

On motion of Mr. Ferguson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 23, entitled

A bill to legalize the tax roll of the township of Quilna, in the county of Missaukee, for the year eighteen hundred and seventy-two,

Was read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Green,	Mr. Sessions,	
Armstrong,	Greusel,	Shaw,	
Bailey,	Haire,	Simpson,	
Bartholomew,	Hewitt,	Smith,	
Blackman,	Hoar,	Speed,	
Briggs,	Hosner,	Striker,	
Brunson,	Hoyt,	Thomas,	
Buell,	Lamb,	Van Aken,	
Burns,	Lockwood,	Van Scoy,	
Cady,	Luce,	A. Walker,	
Caplis,	Markey,	B. Walker,	
Carter,	Morse,	J. Walker,	
Chafey,	Noyes,	L. Walker,	
Climie,	O'Dell,	Warren,	
Curtis,	Perry,	C. W. Watkins,	
Dinturff,	Pierce,	Welch,	
Drake,	Priest,	Welker,	
Fancher,	Remer,	West,	
Ferguson,	Rich,	Wheeler,	
Fey,	Ripley,	Withington,	
Garfield,	Robinson,	Wixson,	
Garvelink,	Robertson,	Zimmerman,	
Gilmore,	Sanderson,	Speaker,	
Grant,	Scott,		71
	NAYS.		0

Title agreed to.

On motion of Mr. Priest,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 65, entitled

A bill to amend section 18 of chapter 26 of the compiled laws of 1871, relative to laying out, altering, and discontinuing highways, approved March 15, 1861,



Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Garvelink moved to amend the bill by inserting in line 5 of section 13, after the words "taxable inhabitants," the words "who are qualified electors ;"

Which motion did not prevail.

On motion of Mr. Shaw,

The bill was recommitted to the committee of the whole.

Senate bill No. 7, entitled:

A bill to amend section 28 of chapter 267, being section 8074 of the compiled laws of 1871, relating to the State Prison and the government and discipline thereof,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Sanderson,
Armstrong,	Grant,	Scott,
Bailey,	Green,	Sessions,
Bartholomew,	Greusel,	Shaw,
Blackman,	Haire,	Simpson,
Bonine,	Hewitt,	Smith,
Bottomley,	Hoar,	Speed,
Briggs,	Hosner,	Striker,
Brunson,	Hoyt,	Thomas,
Buell,	Lamb,	Van Aken,
Burns,	Lockwood,	Van Scoy,
Cady,	Luce,	A. Walker,
Caplis,	Markey,	B. Walker,
Carter,	Morse,	J. Walker,
Chafey,	Noyes,	L. Walker,
Climie,	O'Dell,	Warren,
Cook,	Perry,	C. W. Watkins,
Curtis,	Pierce,	Welch,
Dinturff,	Priest,	Welker,
Drake,	Remer,	West,
Fancher,	Rich,	Wheeler,
Ferguson,	Ripley,	Wixson,
Fey,	Robertson,	Zimmerman,
Garfield,	Robinson,	Speaker,
Garvelink,		

73

#### NAYS.

0

Title agreed to.

Mr. Climie moved that the bill be ordered to take immediate effect ;

Which motion did not prevail.

#### MOTIONS AND RESOLUTIONS.

Mr. C. W. Watkins offered the following :

*Resolved*, That the Clerk of this House be and he is hereby instructed to obtain from the county clerks of the counties comprising the 9th judicial district, the number of days that court has been held in their respective counties for the year ending December 31, 1872 ;

Which was adopted.

Mr. Grant moved that House bill No. 54, entitled

A bill to amend sections 7, 8, 9, 10, 30, 31, 38, 39, 42, 64, 70, and 95 and to repeal section 50 of an act entitled "An act for the re-organization of the military forces of the State of Michigan," approved January 18, 1862, being sections 834, 835, 836, 837, 857, 858, 865, 866, 869, 877, 891, 897, and 922, chapter 18 of the compiled laws of 1871, and to add new sections thereto,

Be made the special order for Thursday next at 2 P. M. ;

Which motion prevailed.

#### GENERAL ORDER.

On motion of Mr. J. Walker,

The House went into committee of the whole on the general order,

Mr. Simpson in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled bill :

1. House bill No. 41, entitled

A bill to amend section 1, 7, 8, 15, 17, 18, 19, 20, 21, 22, and 23 of act No. 90 of the session laws of 1853, entitled "An act to amend the laws relative to supplying the city of Detroit

with pure and wholesome water, and to provide for the completion and management of the Detroit water-works," approved February 14, 1853 ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill :

2. House bill No. 70, entitled

A bill to amend section 1 of an act entitled "An act to provide for the recording of town plats, and for vacating the same in certain cases," approved April 19, 1839, being section 1344, chapter 32 of the compiled laws of 1871 ;

And have directed their chairman to report the same back to the House, with the recommendation that it be recommitted to the committee on State affairs.

E. H. SIMPSON, *Chairman.*

Report accepted and committee discharged.

The first mentioned bill was placed on the order of third reading.

On motion of Mr. Shaw,

The House concurred in the recommendation of the committee relative to the second named bill, and it was recommitted to the committee on State affairs.

Mr. Rose, by unanimous consent, presented the memorial of the board of supervisors of the county of Osceola, setting forth the dissipated habits of Hon. Augustine H. Giddings, judge of the 14th judicial circuit, and asking for his removal from office.

Mr. Rose moved that the memorial be spread at large on the journal ;

Pending which,

Mr. Simpson moved that the House adjourn ;

Which motion did not prevail.

The motion to print the memorial in the journal did not prevail.

Mr. Caplis moved that the House adjourn;

Which motion did not prevail.

Mr. Rose, by unanimous consent, offered the following:

*Resolved*, That the memorial from the board of supervisors of Osceola county, just presented, be referred to a special committee of five, and that such committee have power to send for persons and papers;

Which was adopted.

Mr. Haire, by unanimous consent, presented the petition of the supervisors of the county of Ottawa, asking for the removal from office of the Hon. Augustine H. Giddings, Judge of the fourteenth judicial circuit;

Referred to the special committee on that subject.

On motion of Mr. Hoar,

The House adjourned.

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*Lansing, Tuesday, February 11, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Allis.

Roll called: quorum present.

Absent without leave: Messrs. Knapp, Lewis, Sanderson, and F. Walker.

Mr. Gilmore asked and obtained leave of absence for himself until Wednesday next.

Mr. L. Walker asked and obtained leave of absence for Mr. F. Walker until Thursday next.

#### PRESENTATION OF PETITIONS.

By Mr. Drew: Petition of William Barns, H. Grey, John Custer, and 40 others, asking the abolition of the office of county superintendent of schools;

Referred to the committee on education.

By Mr. Ripley : Remonstrance of W. S. Green, G. B. Noble, and several hundred others, against detaching a portion of Saginaw city ;

Referred to the committee on municipal corporations.

By Mr. Breitung : Petition of E. Rowland and 94 others, for the organization of the township of Tilden ;

Referred to the committee on towns and counties.

By Mr. Fancher : Remonstrance of P. H. Estee and 118 others, citizens of Isabella county, against the repeal of the law creating the office of county superintendent of schools ;

Referred to the committee on education.

By Mr. Kipp : Remonstrance of S. F. Casamer, Jas. E. Bush, and 40 others, of the township of Gaines, Genesee county, against the repeal of the law creating the office of county superintendents of schools ;

Referred to the committee on education.

By Mr. Ferguson : Petition of L. P. Champanois and 98 others, asking the repeal of the law exempting railroad lands from taxation ;

Referred to the committee on railroads.

By Mr. Van Scoy : Petition of N. J. Daniels and 67 others, citizens of Clinton county, for the repeal of the law creating county superintendents of schools ;

Also : Petition of J. H. Bissell and 30 others, for the same purpose ;

Referred to the committee on education.

By Mr. Howard : Petition of Edward Vincent and 83 others, residents of St. Clair county, asking the repeal of the law creating county superintendents of schools ;

Referred to the committee on education.

By Mr. Bartholomew : Petition of B. N. Murdock and 24 others, citizens of the village of Williamston, in favor of an amendment to the Constitution empowering the Legislature to enact a license law ;

Also: Petition of W. Leech and 26 others, citizens of Leslie, for the same purpose;

Also: Petition of T. J. Moore, and 31 others, for the same purpose;

Also: Petition of A. W. Northway and 37 others, citizens of Lansing, for the same purpose;

Referred to the committee on State affairs.

By Mr. Drake: Petition of the officers of the First National Bank of Hillsdale, asking the passage of a law authorizing the State Treasurer to refund certain money illegally collected from said bank by the State;

Referred to the committee on State affairs.

The following is the petition:

*To the Honorable, the Legislature of the State of Michigan:*

We, the undersigned, your petitioners, citizens of the State of Michigan and officers of the First National Bank of Hillsdale, Michigan, in behalf of the stockholders thereof, respectfully represent: That under act 122, laws 1867, the Treasurer of the State of Michigan demanded and collected from this bank \$445 64; that from two of the National Banks of this State nothing was collected; that from two of the National Banks of this State the first installment due under said act was paid and subsequently refunded to said bank by the Treasurer of said State, the Supreme Court of this State having decided the law under which the tax was levied unconstitutional; that the remaining National Banks have, under said act, had collected from them—some one, some two, some three, and some four installments—from which it is evident that it has been unequal. It is also apparent that on legal and equitable grounds, under the decision of our Supreme Court, the installments paid by this bank must be considered as money of said bank in the hands of the Treasurer. Your petitioners, therefore, pray in behalf of those they represent, that your honorable body will pass any act authorizing the Treasurer of

the State to refund to this bank said sum of \$445 64, illegally collected therefrom, and your petitioners will ever pray.

WM. WALDRON, *President,*

[L. S.]

H. J. KING,

*Cashier, First National Bank, Hillsdale, Michigan.*

By Mr. Rose: Petition of J. W. Arnold and 16 others, citizens of Osceola county, praying for the taxation of railroad lands;

Also: Petition of U. S. Holdridge and 14 others, for the same purpose;

Also: Petition of S. F. Dwight and 110 others, for the same purpose;

Referred to the committee on railroads.

The following is the petition:

*To the House of Representatives of the Legislature of the State of Michigan:*

WHEREAS, Several railroad corporations in this State own large tracts of lands, by virtue of certain grants of lands to aid in constructing and building therein said railroads; and

WHEREAS, Said lands are now exempt from all taxation in towns and counties where the same are situate; and

WHEREAS, Said class of lands comprise from one-third to one-half of all the lands in this [Osceola] and some other newly organized counties, and especially so in many new townships; and

WHEREAS, By virtue of said exemption the taxes of said localities are necessarily excessive, in some instances reaching ten per cent of the assessed valuation of the present taxable property therein, to maintain county and township organizations, to build roads and bridges, and maintain schools;

Therefore, we respectfully pray your honorable body to so amend the present railroad law (so called) that said lands may be assessed and taxed as other lands are assessed and taxed, and your petitioners will ever pray, etc.

By Mr. Greusel: Affidavit of B. Stroh, concerning the signing of a certain petition ;

Referred to the committee on municipal corporations.

The following is the affidavit :

STATE OF MICHIGAN, }  
COUNTY OF WAYNE. }

I, Bernhard Stroh of the city of Detroit, Wayne county, depose and say, that a petition was presented in the House of Representatives of this State, on the 7th inst., with my name attached thereto, asking that commissioners may have the authority to locate and purchase grounds for a park for the city of Detroit, after having been submitted to the city council, which petition was never signed by me or with my consent ; but on the contrary, I did sign a petition asking that the whole matter of a park for this city might be submitted to the citizens of said city by ballot.

B. STROH. [L. s.]

Sworn to and subscribed before me, notary public for Wayne county, Michigan, this fourth day February, 1873.

JOHN GIBSON,

*Notary Public Wayne county Mich.*

By Mr. Hoar: Petition of J. A. Close, and 30 others, citizens of Houghton county, asking a grant of swamp land to aid in the construction of the Mineral Range railroad.

Referred to the committee on public lands.

The following is the petition :

*To the Honorable Senate and House of Representatives of the State of Michigan :*

Your petitioners, residents of the county of Houghton, in the Upper Peninsula of this State, respectfully show to your honorable bodies, that a belt of land extending from the eastern extremity of Keweenaw Point to the Ontonagon River, in Ontonagon county, and beyond, is known to be rich in veins of copper through its whole extent, and capable of producing annually a quantity of mineral equal to many times the prod-



uct of the mines now operating on said range; but, that owing to a want of easy and cheap means of transportation to and from the interior portions of said range, it has been hitherto, and is now, impossible to develop the mineral wealth there existing, or to render it available, except at a few points lying near the lake coast.

That a railroad extending from Copper Harbor, in Keweenaw county, along or near said copper belt, to the point above stated, on the west, and thence south to the State line, would furnish easy and cheap transportation, enabling owners of properties situated further inland, to open and develop them, and so speedily increase the production of copper in the State, as well as the revenue derived therefrom, more than ten-fold, and add a like amount to the taxable real estate of the country.

Your petitioners, therefore, respectfully ask your honorable bodies to confer upon the Mineral Range Railroad Company, a corporation organized under the laws of this State, for the purpose of constructing such road, such reasonable and liberal grant of State lands as shall be sufficient to insure the speedy construction of said railroad; and your petitioners will ever pray.

Dated January 10, A. D. 1873.

By Mr. Gordon: Petition of Henry P. Baldwin, E. B. Ward, Rev. Samuel A. McCrosky, James F. Joy, Hon. J. V. Campbell, C. O. Trowbridge, and 200 others, citizens of Detroit, asking for the purchase by the State of Stanley's picture of the "Trial of Red Jacket."

The following is the petition:

*To the Legislature of the State of Michigan.*

We, the undersigned citizens of the city of Detroit, respectfully submit to the attention of your honorable body the following facts in relation to the purchase by the State, for our new State Capitol, of the celebrated painting "The trial of Red Jacket," by the late John M. Stanley, of Detroit.

This picture has not only great value from its artistic excel-

lence, both in color and drawing, but as a record of a race fast passing away, yet permanently identified with the history of the country, has an additional and increasing value. It represents the skill and study and the labor of years, pursued, too, with enthusiasm in despite of unusual difficulties and hardships, and is the greatest work of one of the few men that Michigan can claim who has acquired in art a national reputation. For Mr. Stanley, although not a native of this State, spent the years of his early and later manhood among us, and Michigan may fairly be considered the State of his adoption.

"The Trial of Red Jacket" gives us one of the most interesting episodes in the history of the celebrated "Six Nations," and is probably by far the largest and most complete picture of Indian life ever painted. It contains upwards of one hundred figures, and is not only accurate in dress and manners, but exact, even to careful portraiture of the prominent Indian characters who took part in this celebrated trial. It is the work of one who made the Indian character and habits a life study. The completeness of his knowledge, and the accuracy of his picture in this respect cannot be questioned, Mr. Stanley having spent twelve years among the Indians, during which time he made the celebrated collections of portraits known as the "Stanley Gallery," and which unfortunately was burned in the Smithsonian Institute in 1865.

The picture in question is large, measuring nine feet in length by six feet in width, is painted in oil upon canvass, and is therefore an enduring record. It is the work of one of our own citizens. It has stood the test of public exhibition in the eastern cities of our country, and has received the warmest approval from their critics. If not purchased by our State it will probably become the property of the city of Buffalo, or be removed to the National Capitol at Washington.

We therefore earnestly petition your honorable body that it take such steps as may result in securing this picture to Michigan, and that it be placed in our new Capitol.

Mr. Gordon, by unanimous consent, offered the following:

*Resolved by the House of Representatives* (the Senate concurring), That the petition presented to the Legislature praying for the purchase of Stanley's picture of the "Trial of Red Jacket," be referred to a special joint committee, consisting of three on the part of the Senate and five on the part of the House;

Which was adopted.

The above petition was referred accordingly.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to discontinue that portion of a State road known as the Grand Rapids and Greenville State road, running across the southwest quarter of section 22, in township number 9 north, of range number 10 west,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

A bill to provide for compensation for loss of property by fire, originating from railroad fires,

Respectfully report that they have had the same under consideration, and find that by the provisions of this bill railroad companies are held responsible for loss of property resulting from railroad fires, unless they prove the fires were accidentally set by engines, or otherwise, or necessarily set in building, operating, or repairing the road. In which case the company

must use reasonable precaution to prevent its spreading, or extinguish it if it gets beyond their limits. The principal change made in the present law is, that it throws the burden of proof upon the railroad company, to show that the fires were accidentally or necessarily set, and that they have used reasonable precaution to prevent their spreading, or extinguish them, as the case may be, and holds them responsible in the same manner as private individuals are held responsible for fires set on their premises. They have therefore directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for the laying out and construction of a State road in the county of Sanilac, to be known as the Elmer State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Garfield,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend act No. 154 of the session laws of 1871 entitled "An act to amend section 1 of an act entitled 'An act to authorize proceedings by garnishment in the circuit

court and in the district court of the Upper Peninsula," approved March 1871, being section 6465 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred a resolution, That the judiciary committee be requested to examine section 1 of article 11 of the constitution, relative to the election of township officers, and report to this House, at its earliest convenience, whether section 647 of the compiled laws relative to highway commissioners does not conflict with the constitutional provision above referred to; in other words, does the constitution provide for more than one highway commissioner in each township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying suggestion, that in the opinion of the committee it is a matter of grave doubt whether more than one highway commissioner can be recognized as legally holding a township office under the constitution, and therefore would suggest that our statutes be so amended that hereafter the duties shall be discharged by one instead of three commissioners,

Recommending that the suggestion receive attention, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The House concurred in the opinion of the committee.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill to provide for the deposit and safe keeping of the public moneys belonging to the several counties of the State, and prescribe the duties of the treasurers and boards of supervisors and auditors in relation thereto,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee on ways and means, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Warren,

The bill was referred to the committee on ways and means.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to re-incorporate the village of St. Louis,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to incorporate the village of Reading, in Hillsdale county,

Respectfully report that they have had the same under con-

sideration, and have directed me to report the same back to the House with amendment, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Van Scoy,

The House concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to incorporate the village of Capac,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and asked to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend an act entitled "An act to incorporate the village of Otsego," approved March 15th, 1865, and to add a new section thereto.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom referred

A bill to amend sections 1 and 2 of act No. 365, session laws of 1869, entitled "An act to revise the charter of the village of Chelsea," approved March 30, 1869,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to amend section 1, article 13, and section 5, article 14 of act No. 348 of session laws of 1869, entitled "An act to incorporate the village of Fenton,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.



By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend section 20 of act No. 372, laws of 1867, entitled "An act to revise the charter of the city of Flint," approved March 20, 1867, section 22 of said act No. 372 as amended by section 1 of act No. 21, laws of 1872, approved April 28, 1872, and section 36 of said act 372, as amended by act No. 228, laws of 1871, approved March 18, 1871;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A petition for the repeal of act No. 263, session laws of 1871, and a remonstrance against such repeal;

Also,

A bill to amend section 40 of an act entitled "An act to incorporate the village of Ovid," approved March 24, 1869, as amended by act No. 263 of the session laws of 1871, and to repeal section 2 of said act No. 263,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend the printing of said bill, and without further recommendation, ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Speed,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend section 10 of chapter 239 of the compiled laws of 1871, relative to witness fees,

Respectfully report that another bill has been introduced and passed, which covers the ground intended to be covered by this bill. Your committee, therefore, report the same back to the House, with the recommendation that it be laid upon the table, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Welker,

The bill was laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain territory from the township of Gilmore, in the county of Benzie, and attach the same to the township of Crystal Lake, in the same county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hosner,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to organize the township of Lake in Benzie county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hosner,

The rules were suspended, and the bill was placed on the order of third reading.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, February 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 42, entitled

A bill to incorporate a board of water commissioners for the city of East Saginaw, to supply the city with pure and wholesome water, and to provide for the completion and management of the East Saginaw water-works ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 10, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills :

1. Senate bill No. 39, entitled.

A bill to amend section 154 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," being section 1120 of the compiled laws of 1871 ;

2. Senate bill No. 41, entitled

A bill to amend section 1 of chapter 11 of the compiled laws of 1871, relative to wills of real and personal estate ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on ways and means.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

NOTICES.

Mr. Cook gave notice that on some future day he would ask leave to introduce

A bill to amend an act to amend an act to incorporate the village of Manchester, approved March 16, 1867, as amended by act No. 248 of the session laws of 1871, approved March 25, 1871, by adding two new sections to said act as amended.

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 419 of session laws of 1871, being an act to provide for the laying out and constructing a State road in Isabella county.

Mr. West gave notice that on some future day he would ask leave to introduce

A bill to provide for a uniformity of school books in the county of Berrien.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill fixing the maximum price of gas made by gas-light companies, and determining the quality thereof.

Mr. Briggs gave notice that on some future day he would ask leave to introduce

A bill to amend section 27 of "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 993, chapter 21 of the compiled laws of 1871.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to authorize attorneys and counselors at law of this State to administer oaths and take acknowledgments of deeds.

Mr. Curtis gave notice that on some future day he would ask leave to introduce

A bill to exempt the county of Ottawa from the provisions of the county drainage law.

Mr. Breitung gave notice that on some future day he would ask leave to introduce

A bill to organize the township of Tilden in the county of Marquette.

Mr. Curtis gave notice that on some future day he would ask leave to introduce

A bill to legalize the assessment roll of the township of Jamestown, in the county of Ottawa, for the year eighteen hundred and seventy-two.

Mr. Garfield gave notice that on some future day he would ask leave to introduce

A bill to amend section 89 of chapter 136 of primary school laws, being section 3653 of the compiled laws of 1871.

#### INTRODUCTION OF BILLS.

Mr. Grant, previous notice having been given and leave being granted, introduced

A bill to amend an act to incorporate the city of Ann Arbor, approved March 23, 1867, and also an act amendatory thereto, approved March 18, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Van Scoy, previous notice having been given and leave being granted, introduced

A bill to prevent the destruction of muskrats and muskrat houses in the marshes along the shore of Maple River, in the counties of Clinton and Gratiot.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hoar, previous notice having been given and leave being granted, introduced

A bill to amend section 23 of chapter 163 of the revised statutes of 1846, being section 7865 in chapter 259 of the compiled laws, entitled "The arrest and examination for trial, and taking bail."

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Fancher, previous notice having been given, and leave being granted, introduced

A bill to amend section 37 of chapter 75, being section 2441 of compiled laws of 1871, being an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Luce, previous notice having been given, and leave being granted, introduced

A bill to exempt the county of Hillsdale from the provisions of an act entitled "An act to provide for a county superintendent of schools," being chapter 139 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Shaw, previous notice having been given and leave being granted, introduced

A bill to provide for the appraisal and sale of the balance of section 16 in town 2 north, of range 8 west, in the county of Eaton.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. West, previous notice having been given and leave being granted, introduced

A bill to provide for the appointment of two professors of homeopathy in the department of medicine of the University of Michigan.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Scott, previous notice having been given and leave being granted, introduced

A bill to amend section 1, chapter 134 of the compiled laws of 1871, entitled "An act to reorganize the Agricultural College of the State of Michigan and establish a State Board of Agriculture."

The bill was read a first and second time by its title, and referred to the committee on Agricultural College.

Mr. E. R. Miller, previous notice having been given and leave being granted, introduced

A bill to amend act 55 of the session laws of 1872, being an act to amend section 29 of an act entitled "An act to amend sections 10 and 12 of an act entitled 'An act in relation to life insurance companies transacting business within this State,' approved March 30, 1869, and to add three sections thereto, to stand as sections 27, 28, and 29," approved April 5, 1871, being section 2964, chapter 98 of the compiled laws of 1871.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Welker, by unanimous consent, moved to reconsider the vote by which the House refused to order

Senate bill No. 7, entitled

A bill to amend section 28 of chapter 267, being section 8074 of the compiled laws of 1871; relating to the State Prison and the government and discipline thereof,

To take immediate effect ;

Which motion prevailed.

On motion of Mr. Welker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Grant, by unanimous consent, moved to reconsider the vote by which the House refused to order

Senate bill No. 10, entitled

A bill making appropriations for the completion of the new hall of the University of Michigan, and to pay deficit in the revenue of the University for the year ending June 30, 1873 ;

To take immediate effect ;

Which motion prevailed.

On motion of Mr. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Watkins, by unanimous consent, moved to reconsider the vote by which the House refused to order

House bill No. 30, entitled

A bill to amend section 36 of an act to revise the laws for the incorporation of railroad companies, being section 2440 of chapter 35 of the compiled laws of 1871, as amended by act No. 43 of the session laws of 1872, approved March 29, 1872,

To take immediate effect ;

Which motion did not prevail.

Mr. Thomas, by unanimous consent, moved to reconsider the vote by which the House refused to order

Senate bill No. 12, entitled

A bill making appropriations for the State Normal School,

To take immediate effect ;

Which motion prevailed.



On motion of Mr. Thomas,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Speed moved to discharge the committee of the whole from the further consideration of

House manuscript bill, entitled

A bill to detach certain territory from the city of Saginaw and attach the same to the township of Carrollton ;

Which motion prevailed.

On motion of Mr. Speed,

The bill was re-committed to the committee on municipal corporations.

#### THIRD READING OF BILLS.

House bill No. 24, entitled

A bill to amend section 4 of act No. 165 of the session laws of 1871, entitled "An act to compel children to attend school,"

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Blackman,  
Bonine,  
Bottomley,  
Breitung,  
Brunson,  
Chamberlain,  
Drew,  
Ferguson,  
Grant,  
Green,  
Haire,

Mr. Hosner,  
Howard,  
Hoyt,  
Knapp,  
Lamb,  
Pierce,  
Remer,  
Scott,  
Simpson,  
Speed,

Mr. Thomas,  
Thompson,  
Van Aken,  
A. Walker,  
L. Walker,  
Warren,  
C. W. Watkins,  
Welch,  
West,  
Speaker,

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#### NAYS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Briggs,  
Buell,  
Burns,

Mr. Garvelink,  
Goodrich,  
Gordon,  
Greusel,  
Harris,  
Hertzler,

Mr. Rich,  
Ripley,  
Robinson,  
Robertson,  
Sanderson,  
Sessions,

Mr. Cady, Carter, Chafey, Climie, Cobb, Cook, Curtis, Dinturff, Drake, Edwards, Fancher, Fey, Garfield,	Mr. Hewitt, Hoar, Kellogg, Kipp, Lockwood, Luce, Markey, E. R. Miller, Morse, O'Dell, Parsons, Perry, Priest,	Mr. Shaw, Smith, Striker, Van Scoy, B. Walker, J. Walker, Walton, Welker, Wheeler, Withington, Wixson, Zimmerman,
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House bill No. 14, entitled

A bill to establish a board of commissioners to increase the product of the fisheries and to make an appropriation therefor,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Armstrong, Bonine, Breitung, Buell, Burns, Cady, Caplis, Chamberlain, Climie, Cobb, Cook, Edwards, Garfield, Goodrich, Gordon,	Mr. Grant, Green, Greusel, Harris, Hertzler, Hoar, Hosner, Howard, Knapp, Lewis, Lockwood, Markey, E. R. Miller, Perry,	Mr. Pierce, Remer, Scott, Shaw, Speed, Thompson, A. Walker, L. Walker, Welch, West, Wheeler, Withington, Zimmerman, Speaker,
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## NAYS.

Mr. Ackley, Bailey, Blackman, Bottomley, Briggs, Brunson, Carter,	Mr. Haire, Hewitt, Hoyt, Kellogg, Kipp, Lamb, Luce,	Mr. Sanderson, Sessions, Simpson, Smith, Striker, Thomas, Van Aken,
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Mr. Chafey,	Mr. Morse,	Mr. Van Scoy,
Curtis,	O'Dell,	B. Walker,
Dinturff,	Parsons,	J. Walker,
Drake,	Priest,	Walton,
Drew,	Rich,	Warren,
Fancher,	Ripley,	C. W. Watkins,
Ferguson,	Robinson,	E. C. Watkins,
Fey,	Robertson,	Welker,
Garvelink,	Rose,	Wixson,
		48

House bill No. 41, entitled

A bill to amend sections 1, 7, 8, 15, 17, 18, 19, 20, 21, 22, and 23 of act number 90 of the session laws of 1853, entitled "An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water-works," approved February 14, 1853,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Rich,
Armstrong,	Gordon,	Robinson,
Bailey,	Grant,	Robertson,
Bartholomew,	Green,	Rose,
Blackman,	Greusel,	Sanderson,
Bonine,	Haire,	Scott,
Bottomley,	Harris,	Sessions,
Breitung,	Hertzler,	Shaw,
Briggs,	Hewitt,	Simpson,
Brunson,	Hoar,	Smith,
Buell,	Hosner,	Speed,
Burns,	Hoyt,	Striker,
Cady,	Kellogg,	Thompson,
Caplis,	Kipp,	Van Aken,
Carter,	Knapp,	Van Scoy,
Chafey,	Lamb,	B. Walker,
Climie,	Lewis,	J. Walker,
Cobb,	Lockwood,	L. Walker,
Cook,	Luce,	Walton,
Curtis,	Markey,	Warren,
Dinturff,	E. R. Miller,	Welch,
Drake,	Morse,	Welker,
Drew,	O'Dell,	West,
Edwards,	Parsons,	Wheeler,

Mr. Eggleston,  
Fancher,  
Ferguson,  
Fey,  
Garfield,

Mr. Perry,  
Pierce,  
Priest,  
Remer,

Mr. Withington,  
Wixson,  
Zimmerman,  
Speaker,

85

## NAYS.

Mr. Garvelink,  
Title agreed to.

Mr. Ripley,

Mr. E. C. Watkins, 3

House manuscript bill, entitled

A bill to organize the township of Lake, in Benzie county.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Blackman,  
Bonine,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Climie,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Eggleston,  
Fancher,  
Ferguson,  
Fey,  
Garfield,

Mr. Garvelink,  
Goodrich,  
Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
Morse,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Remer,

Mr. Rich,  
Ripley,  
Robertson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thompson,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

84

## NAYS.

0

Title agreed to.

On motion of Mr. Hosner,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to detach certain territory from the township of Gilmore, in the county of Benzie, and attach the same to the township of Crystal Lake in the same county,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robinson,
Armstrong,	Grant,	Robertson,
Bailey,	Green,	Rose,
Blackman,	Greusel,	Sanderson,
Bonine,	Haire,	Scott,
Bottomley,	Harris,	Sessions,
Breitung,	Hertzler,	Shaw,
Briggs,	Hewitt,	Smith,
Brunson,	Hoar,	Speed,
Buell,	Hosner,	Striker,
Burns,	Hoyt,	Thompson,
Cady,	Kellogg,	Van Aken,
Caplis,	Kipp,	Van Scoy,
Carter,	Knapp,	A. Walker,
Chafey,	Lewis,	B. Walker,
Climie,	Lockwood,	L. Walker,
Cobb,	Luce,	Walton,
Curtis,	Markey,	Warren,
Dinturff,	Morse,	O. W. Watkins,
Drake,	O'Dell,	Welch,
Edwards,	Parsons,	Welker,
Eggleston,	Perry,	West,
Fancher,	Pierce,	Wheeler,
Ferguson,	Priest,	Wixson,
Fey,	Remer,	Zimmerman,
Garfield,	Rich,	Speaker,
Garvelink,	Ripley,	

80

# NAYS.

Mr. Goodrich,	Mr. Howard,	Mr. Lamb,	3
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Title agreed to.

On motion of Mr. Hosner.

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS AND RESOLUTIONS.

Mr. Lockwood moved to take from the table the following resolution :

*Resolved*, That all bills proposing amendments to the general laws shall give the additions made in Italics, and any portion to be left out in brackets, so that members will see at a glance what alteration is made ;

Which motion prevailed.

Mr. Lockwood offered the following substitute for the resolution :

*Resolved*, That all bills proposing amendments to the laws shall give the additions proposed to be made in Italics, and where any portion is proposed to be left out, spaces shall be left and the words represented by dotted lines, and that the bills of this House be so printed hereafter ;

Which was agreed to.

The resolution as amended by the substitute was then adopted.

Mr. Morse moved to discharge the committee of the whole from the further consideration of House manuscript bill, entitled

A bill to reincorporate the village of St. Louis ;

Which motion prevailed.

On motion of Mr. Morse,

The bill was placed on the order of third reading.

Mr. Grant moved to take from the table the following resolution : .

*Resolved*, That there be added to the rules of this House a new rule, to stand as rule No. 70, which shall read as follows :

The report of every standing committee shall contain a statement of the objects of every bill (except bills of a local character), and the reasons for the recommendations made by

such committee, which report shall be printed in full in the journal ;

Which motion prevailed.

The question being on the adoption of the resolution,

Mr. U. W. Watkins moved to amend the resolution by adding thereto the words : "And the speeches of each gentleman shall be published in the journal, in order that his constituents may know what he is doing ;"

Which motion did not prevail.

The resolution was then adopted, two-thirds of the members elect voting therefor.

The Speaker announced as the special committee ordered by the following resolution,

*Resolved*, That the memorial from the board of supervisors of Osceola county, just presented, be referred to a special committee of five, and that such committee have power to send for persons and papers,

Messrs. Rose, Caplis, Cobb, Grant, and Brunson.

On motion of Mr. Hosner,

The House took a recess until 2 o'clock this afternoon.

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#### AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

On motion of Mr. Speed,

House bill No. 41, entitled

A bill to amend sections 1, 7, 8, 15, 17, 18, 19, 20, 21, 22, and 23 of act number 90 of the session laws of 1853, entitled "An act to amend the laws relative to supplying the city of Detroit with pure and wholesome water, and to provide for the completion and management of the Detroit water-works," approved February 14, 1853,

By a vote of two-thirds of all the members elect, was ordered to take immediate effect.

The House took up the order of

PRESENTATION OF PETITIONS.

By Mr. J. Walker: Resolutions of the board of supervisors of Kalamazoo county, in regard to the equalization of taxes in fractional school districts;

Referred to the committee on ways and means.

Also: Resolutions of the board of supervisors of Kalamazoo county, asking the repeal of the law creating county superintendents of schools;

Referred to the committee on education.

By Mr. Ackley: Resolutions of the board of supervisors of Saginaw county, asking for the repeal of the office of county superintendent of schools;

Referred to the committee on education.

By Mr. Scott: Resolution of the board of supervisors of Wayne county relative to the time of holding the annual township meeting;

Referred to the committee on towns and counties.

The following is the resolution:

*Resolved*, That the members of the State Legislature, of which the county of Wayne forms a part, be and are most respectfully requested by this board to pass a resolution to amend that part of the Constitution of this State, to be submitted to the suffrages of the voters of this State at their next annual meeting, in regard to their changing the time of holding annual township meetings, that said meetings be held on the first Monday in March in lieu of April.

By Mr. Fancher: Petition of Dawson Greer, and 18 others, of the township of Gladwin, in the county of Gladwin, asking the repeal of act No. 489 of the session laws of 1871, and a return of the funds appropriated by said act to the proper township;



Also: Petition of J. A. Swan, and 21 others, of the township of Grout, in the county of Gladwin, for the same purpose ;

Referred to the committee on towns and counties.

By Mr. Blackman: Petition of William McNeill and 39 others, citizens of Van Buren county, praying for the abolition of the office of county superintendent of schools ;

Also: Petition of Dr. L. Shotwell and 96 others, citizens of Van Buren county, for the same purpose ;

Referred to the committee on education.

Also: Petition of Isaac W. Willard, G. J. Hudson, and 20 others, of the village of Paw Paw, praying for an amendment to their village charter by adding more territory to said village ;

Referred to the committee on municipal corporations.

By Mr. J. Walker: Petition of D. G. North and 22 others, of Kalamazoo county, for the abolition of the office of county superintendent of schools ;

Also: Petition of Alphens Snow and 50 others, for the same purpose ;

Referred to the committee on education.

By Mr. Burns: Petition of Philo Parsons, A. O. McGraw, C. Van Husen, and 30 others, asking an appropriation of \$30,000 for the Detroit Medical College ;

Referred to the committee on State affairs.

By Mr. Edwards: Petition of J. A. Brown, M. D., Z. R. Brockway, F. Buhl, and 40 others, for the same purpose ;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on fisheries:

The committee on fisheries to whom was referred

A bill to prohibit fishing with seines, set nets, fykes, or any other species of continuous nets, or with spear, in any of the inland lakes in Allegan county ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The object of the bill seems to be to prevent the catch of fish in the lakes of Allegan county; and the reason the committee make the herewith report is, that the people of that county, through their representative, Mr. Thomas, were getting quite uneasy at the delay of the committee in making a report.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred the following resolution :

*Resolved*, That the committee on railroads be and they are hereby instructed to investigate into the expediency of prohibiting railroads from running their cars or working their shops upon the first day of the week, between the hours of six o'clock A. M. and six o'clock P. M., and to report to this House by bill or otherwise ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the opinion that the provisions of chapter 55 of the compiled laws of 1871 apply to all railroad managers, and the employes of railroad companies, the same as to other persons, and that no additional legislation is necessary. We therefore ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The House concurred in the opinion of the committee.

By the committee on municipal corporations :

The committee on municipal corporations respectfully report to the House the accompanying bill, entitled

A bill for the incorporation of villages,

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman*.

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

#### NOTICES.

Mr. Remer gave notice that on some future day he would ask leave to introduce

A bill to provide for a uniform system of school books in the county of St. Clair.

Mr. Sessions gave notice that on some future day he would ask leave to introduce

A bill to authorize the board of supervisors of Ionia county to apportion and cause to be levied certain taxes upon certain portions of fractional school district No. 5, of the townships of Portland, Danby, Orange, and Sebewa, in the year 1873.

Mr. Ripley gave notice that on some future day he would ask leave to introduce

A bill to amend section 20 of act No. 496 of the laws of 1867, entitled "An act to revise and amend the charter of the city of Saginaw, approved February 5, 1859," approved March 27, 1867, as amended by act No. 224 of the laws of 1871.

Mr. Faucher gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 489, being "An act to lay out and establish a State road in the counties of Midland and Gladwin, and to appropriate certain non-resident highway taxes for the construction thereof."

Mr. Blackman gave notice that on some future day he would ask leave to introduce

A bill to amend section 31 of chapter 136, being section

3611 of the compiled laws of 1871, relating to primary schools;

Also,

A bill to amend section 10 of chapter 75, being section 2414 of the compiled laws of 1871, relative to the incorporation of railroad companies.

Mr. Warren gave notice that on some future day he would ask leave to introduce

A bill to repeal section 13 of an act entitled "An act for the relief of school districts," being section 3725, chapter 136 of the compiled laws of 1871.

#### INTRODUCTION OF BILLS.

Mr. B. Walker, previous notice having been given and leave being granted, introduced

A bill to amend section 3 of an act entitled "An act to incorporate the union school district of the city of Owosso," approved March 22, 1871.

The bill was read a first and second time by its title and referred to the committee on private corporations.

Mr. Shaw, previous notice having been given and leave being granted, introduced

A bill abolishing estates for life in dower and tenancy by the courtesy, and creating, in lieu thereof estates in fee simple, and further defining the rights, duties, and obligations of husband and wife.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

#### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill for the re-incorporation of the village of St. Louis,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Armstrong,

Mr. Gordon,  
Grant,

Mr. Ripley,  
Robinson,

<b>Mr. Bailey,</b>	<b>Mr. Green,</b>	<b>Mr. Rose,</b>	
Bartholomew,	Greusel,	Sanderson,	
Bonine,	Haire,	Scott,	
Bottomley,	Harris,	Sessions,	
Breitung,	Hertzler,	Shaw,	
Briggs,	Hewitt,	Simpson,	
Brunson,	Hoar,	Speed,	
Buell,	Hosner,	Striker,	
Burns,	Howard,	Thomas,	
Cady,	Hoyt,	Thompson,	
Caplis,	Kellogg,	Van Scoy,	
Carter,	Kipp,	A. Walker,	
Chafey,	Knapp,	B. Walker,	
Climie,	Lewis,	L. Walker,	
Cook,	Lockwood,	Walton,	
Curtis,	Luce,	Warren,	
Dinturff,	Markey,	C. W. Watkins,	
Drake,	Morse,	E. C. Watkins,	
Edwards,	O'Dell,	West,	
Eggleston,	Parsons,	Wheeler,	
Fancher,	Perry,	Withington,	
Fey,	Pierce,	Wixson,	
Garvelink,	Priest,	Zimmerman,	
Goodrich,	Remer,	Speaker,	79

## NAYS.

<b>Mr. Garfield,</b>	<b>Mr. Welch,</b>	<b>Mr. Welker,</b>	<b>3</b>
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Pending the announcement of the vote,

Mr. Green moved that Mr. Welker be excused from voting ;

Which motion did not prevail.

Mr. Welker then voted as recorded above.

Title agreed to.

On motion of Mr. Drew,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Thomas,

The House went into committee of the whole on the general order,

Mr. Brunson in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

1. House bill No. 63, entitled

A bill to provide for licensing the keeping of dogs;

2. House bill No. 69, entitled

A bill to amend an act entitled "An act supplementary to the charter of the city of Detroit, relating to a public park or other public grounds for the use of said city," being act No. 277 of the session laws of the year 1871, approved April 15, 1871;

3. Senate bill No. 9, entitled

A bill to facilitate the collection of recognizances in criminal cases;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

J. C. BRUNSON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hosner,

The House concurred in the amendments made to the three named bills by the committee, and they were placed on the order of third reading.

The committee on towns and counties, by unanimous consent, reported as follows:

The committee on towns and counties, to whom was referred

A bill to organize the township of Otsego Lake, in the unorganized county of Otsego,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Rose, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A bill to amend sections 4, 48, and 61 of act No. 459, of the session laws of 1860, entitled "An act to incorporate the city of Big Rapids," and section 32 of act No. 241, of the session laws of 1871, amendatory thereof.

On motion of Mr. Bartholomew,  
The House adjourned.

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*Lansing, Wednesday, February 12, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bryant.

Roll called: quorum present.

Absent without leave: Messrs. Cobb, Noyes, and Rose.

Mr. Goodrich asked and obtained leave of absence for Mr. Cobb for the day.

Mr. Cook asked and obtained leave of absence for Mr. Noyes for the day.

Mr. Ferguson asked and obtained leave of absence for Mr. Rose for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Markey: Remonstrance of E. Campau, M. Markey, H. Brossard, and 90 others, citizens of the township of Springwells, against the claim of Michael Henderson for the improvement of Fort street in said town;

Also: Affidavit of Eli Barkume, township clerk of Springwells, relative to the same subject;

Also: Affidavit of E. Campau, highway commissioner of Springwells, relative to the same subject;

Referred to the committee on roads and bridges.

The following are the two affidavits:

STATE OF MICHIGAN, }  
*County of Wayne.* } ss.

Personally came before me, the undersigned, in and for said county, Eli Barkume, known to me to be the same person whose name is hereunto subscribed, and who being duly sworn deposes says: That he is the township clerk of the town of Springwells, State and county aforesaid, town clerk and a member of the town board of said town in the year 1871, and that one Michael Henderson, in the year 1871, previous of taking the contract to improve Fort street from the limits of the city of Detroit to the Dearborn road (so called) in said township, in pursuance of act 416 of the session laws of 1869, and act 414 of 1871, an amendment, came to him personally and asked him if he thought there would be any trouble in getting the town bonds as provided in the above sections, and told said Henderson that he might anticipate trouble, and the deponent further saith not.

ELI BARKUME.

Sworn and subscribed to before me the 10th day of February, 1873.

JOHN D. W. THOU,  
*Notary Public Wayne County.*

STATE OF MICHIGAN, }  
*County of Wayne.* } ss.

Personally came before me the undersigned, a notary public in and for said county, Edward Campan, whose name is hereunto subscribed, and known by me to be the same person whose name is hereunto subscribed, and who, being duly sworn deposes and says: That he was a commissioner of highways for the township of Springwells, county and State aforesaid, in the year 1871; likewise at the present time, and that in the summer of 1871, that one Michael Henderson improved Fort street in said township, and that about the time said Henderson commenced said improvement, that he, said Edward Campan, notified said Henderson that said township would



not pay him for said improvement, as it was not the wishes of the inhabitants that said improvement should be done, as the said improvement was done for the benefit of the stockholders of the Woodman cemetery; and said Henderson replied that he would not look to the town for his pay for said work, but to those who employed him; and the deponent further says that he told him that the town board of said town would never issue town bonds as was contemplated in the act for the improvement of said Fort street, and the deponent further saith not.

EDWARD CAMPAU.

Sworn and subscribed to before me, this 8th of February, 1873.

ELI BARKUME,

*Notary Public, Wayne county, Michigan.*

By Mr. Cook: Petition of E. Freer and 19 others for adequate protection against loss by railroad fires;

Referred to the committee on railroads.

By Mr. Shaw: Petition of J. H. Wellings and 128 others of Grand Ledge, for the protection of fish in Grand river and its tributaries;

Referred to the committee on fisheries.

By Mr. Hertzler: Petition of A. J. Shaver and 125 others, citizens of Erie, Monroe county, asking an amendment to the constitution empowering the Legislature to enact a license law;

Referred to the committee on State affairs.

By Mr. Bartholomew: Petition of F. M. Cowles, D. Ekstein, H. Lederer, Wm. H. Chapman and 98 others, in favor of an amendment to the constitution enabling the Legislature to enact a license law;

Also: Petition of O. L. Vaughn, H. S. King, and 42 others, for the same purpose;

Also: Petition of George Baker, H. C. Smith and 35 others for the same purpose;

Referred to the committee on State affairs.

By Mr. C. W. Watkins: Petition of Nelson Chambers, W.

L. Heazlett, and 53 others, citizens of Wayland, asking the repeal of the charter of said village ;

Referred to the committee on municipal corporations.

The following is the petition :

*To the Senate and House of Representatives of the State of Michigan :*

Your petitioners most humbly represent that they are residents and tax payers of the village of Wayland, in the county of Allegan and State of Michigan, and your petitioners pray that the charter of said village, being Act No. 366 of session laws of 1869, together with the amendments thereto, be repealed.

And they represent that the population and business of said village is not such that any village charter is needed for any purpose, and that the said charter imposes burdens upon the people for which they get no adequate return.

By Mr. Fancher: Remonstrance of P. F. Dodd and 97 others, of Isabella county, against the repeal of the law creating the office of county superintendents of schools ;

Referred to the committee on education.

By Mr. C. W. Watkins: Remonstrance of J. Chappell, W. E. White, and 44 others, citizens of the village of Wayland, against the repeal of the charter of said village ;

Referred to the committee on municipal corporations.

By Mr. R. C. Miller: Petition of T. S. Peck and 73 others, citizens of Montcalm county, for a county uniformity of text books ;

Referred to the committee on education.

Also: Remonstrance of T. S. Peck and 59 others, citizens of Montcalm county, against the repeal of the law creating county superintendents of schools ;

Referred to the committee on education.

Also: Petition of N. O. Griswold and 158 citizens of Montcalm county, asking for a law to secure the protection of deer by raising the bounty on wolves ;

Referred to the committee on State affairs.

By Mr. Thompson: Remonstrance of C. Davis, C. McLaughlin, and 128 others, citizens of Muskegon county, against the repeal of the law creating county superintendents of schools;

Referred to the committee on education.

By Mr. Fancher: Petition of J. E. Medler and 16 others, praying for a change in the State constitution, so as to authorize a license law;

Referred to the committee on State affairs.

By Mr. Bailey: Petition of Abraham Crippen and 247 others, asking the passage of a law prohibiting blacksmithing and wagon-making in the State Prison;

Referred to the committee on State prison.

By Mr. F. Walker: Petition of J. C. Rockafellow and 125 others, citizens of Genesee county, asking for a repeal of the law creating the office of county superintendents of schools;

Referred to the committee on education.

By Mr. Simpson: Petition of O. E. Barnum and 26 others, of Van Buren county, praying for the abolition of the law creating county superintendents of schools;

Referred to the committee on education.

By Mr. Goodrich; Remonstrance of Clark Conant, F. King, and 66 others, against the repeal of act No. 425 of session laws of 1871, being "An act to detach certain real estate from school district No. 1 of Parma, Sandstone, Concord, and Spring-Arbor, and attaching the same to district No. 3 of Parma;

Referred to the committee on education.

By Mr. Priest: Petition of F. Simpson and 27 others, of Macomb county, asking an amendment to the constitution allowing the passage of a license law;

Referred to the committee on State affairs.

By Mr. Drew: Petition of Benj. Porter, C. Mayforth, Geo. Proudfit, and 180 others, citizens of Jackson, in favor of an amendment to the constitution allowing the passage of a license law;

Referred to the committee on State affairs.

By Mr. Bottomley: Petition of D. Walker and 79 others, for the enactment of such a law as will compel railroad corporations to build convenient station buildings, out-houses, and platforms, and maintain the same where tickets are sold or trains receive passengers;

. Referred to the special committee on the Port Huron and Lake Michigan and the Grand Trunk railroads.

By Mr. Drake: Petition of C. T. Mitchell, W. Waldron, D. L. Pratt, and 113 others, asking the purchase, by the State, of Stanley's painting. "The Trial of Red Jacket;"

Referred to the special committee on that subject.

The following is the petition:

*To the Honorable, the Legislature of the State of Michigan:*

WHEREAS, By the death of J. M. Stanley, Esq., of Detroit, this State has lost one of its most honorable, gifted, and best citizens;

AND WHEREAS, Many of the most prominent of our citizens are united in a desire that we as a State might retain as a memento of the great talent of the lamented artist and as a tangible proof thereof, his latest and greatest work, entitled "The trial of Red Jacket," the same to be purchased of the family of Mr. Stanley and to be placed in a suitable position for permanency in the new Capitol Building of our State; this, as well as a testimonial to the faithful, charming, and most complete study of the "Red Man," as marking a prominent scene in the history of that unfortunate people, and as, in a manner, a perpetual source of pride to our great State and people;

We, therefore, the undersigned, do most earnestly pray that to our State may be secured this great historical work.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was recommit-  
mited.

House bill No. 56, entitled

A bill to repeal act number 57 of the session laws of 1850, being an act to incorporate the Plymouth plank road company, approved March 5, 1850,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying preamble and resolution, recommending that the preamble and resolution be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged...

The following is the preamble and resolution :

*Whereas*, It has been made to appear to this committee that the Plymouth Plank Road Company have forfeited their charter in failing to comply with the law in keeping their road-bed and bridges in lawful repair; and

*Whereas*, The Supreme Court has lately decided that the violation of a charter of a similar character cannot be legally made to appear, unless the evidence of such violation has been judicially declared; therefore,

*Resolved*, That the Attorney General be, and is hereby instructed by this House to immediately commence judicial proceedings against such company in order to compel them to show cause why they have not forfeited their charter.

On motion of Mr. Scott,

The resolution was adopted.

On motion of Mr. Scott,

The bill was laid on the table.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to amend section 30 of chapter 10, being section 496 of the compiled laws of 1871, entitled "Boards of Supervisors,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, the substitute attaching a satisfactory proviso to section 30, providing for a limitation of the time for meeting of boards of supervisors in the county of Wayne without altering the general law, and ask to be discharged from further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend section 2, chapter 169 of the revised statutes of 1846, relative to "the fees of officers and ministers of justice in criminal cases," being section 7478, chapter 240 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and find that this bill increases the fees of justices of the peace in criminal cases. I have been directed to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 41; entitled

A bill to amend section 1 of chapter 154 of the compiled laws of 1871, relative to wills of real and personal estate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This bill leaves out a portion of the section which has been repealed by the constitution, relative to wills of married women.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill requiring all actions hereafter to be commenced in any of the courts of this State to be brought in the name of the real party in interest,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

The provisions of this bill are considered impracticable to a certain extent.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Briggs,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Joint resolution for the relief of the Central Methodist Episcopal Church of Lansing, Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, since this resolution is believed to be just and equitable,

and to carry out a legal obligation; and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred Senate bill No. 37, entitled

A bill to repeal an act entitled "An act in relation to collection of recognizances in criminal cases," approved March 7, 1861, being sections 6884, 6885, and 6886 of the compiled laws of 1871;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This act is repealed for the reason that it is not the policy of the law to render judgments against persons without notice and opportunity for a defense.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred House bill No. 25, entitled

A bill to change the time of the annual meeting of St. Peter's Protestant Episcopal Church in the city of Hillsdale, from Wednesday to Monday, in Easter week, and to increase the number of vestrymen of said church from six to seven,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to



the House, without amendment, and recommend that it do not pass, for the reason that section two of chapter 108, providing for the incorporation of religious societies, authorizes any society organized under it by a vote of two-thirds of its members entitled to vote to amend its articles of association in any manner not inconsistent with said act; and the object of said bill can be easily attained by amending such articles; and your committee ask to be discharged from the further consideration of the subject.

E. S. EGGLESTON, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Warren,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 17th, 1871, being section 2441, chapter 75 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have instructed me to report that the object of said bill is to repeal that part of section 2441 that exempts from taxation, for a limited period, lands granted to railroad companies to aid in the construction of their roads, and to make such lands liable to taxation the same as lands owned by individuals in this State.

Your committee have made a careful examination of the legislative action of this State in granting said lands to the several railroad companies, and the rights, privileges, and immunities guarantied to the railroad companies thereon, and the action of the railroad companies therein, and are of the opinion that the provisions of the various acts of legislation in respect thereto constitute a clear and binding contract on the part of the State that such lands shall not be subject to taxation during the period limited in said section 2441, and that the State cannot legally abrogate said contract.

Your committee, therefore, recommend that said bill do not pass, and ask to be discharged from the further consideration of the subject.

E. S. EGGLESTON, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The bill was laid on the table.

By the committee on private corporations:

The committee on private corporations, to whom was referred A bill to amend section 3 of an act entitled "An act to incorporate the union school district of the city of Owosso," approved March 22, 1871;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. S. EGGLESTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, February 11, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

WHEREAS, A resolution was adopted by the Detroit Board of Trade on the 23d day of January, A. D. 1873, in the words and figures following, viz:

"WHEREAS, For several years past Detroit has experienced great difficulty during the winter months in obtaining from the Grand Trunk Railroad requisite facilities for the movement of produce Eastward, to the great detriment of its com-

mercial interests, and, as we believe, without any good and sufficient reason on the part of said railroad ; and

WHEREAS, Said railroad, having been granted valuable franchises by the State of Michigan, is bound to furnish such facilities ;

*Resolved*, That this Board of Trade respectfully petition the Legislature of this State to appoint a committee from its body whose duty it shall be to investigate into this matter, and to recommend such legislation, if any, as may afford relief in the premises, and that the Secretary send certified copies hereof to our Senators and Assemblymen at Lansing ;” therefore

*Resolved* (the House concurring), That a committee of three be appointed by the Senate to act with a committee of five on the part of the House to examine into the matters set forth in said resolution, and recommend such legislation as such joint committee may deem desirable ; and be it further

*Resolved*, That such joint committee have the power to send for persons and papers ;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The question being on concurring in the resolution,

Mr. Perry moved to amend the same by adding thereto the words, “and to hold sessions of their committee at such places along the line of said road as they may deem proper ;”

Which motion prevailed.

The resolution, as amended, was then concurred in.

Mr. Howard moved that the committee already appointed by the House to investigate the affairs of the Grand Trunk Railway, be the committee to act under the concurrent resolution just adopted ;

Which motion prevailed.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 11, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following:

*Resolved by the Senate (the House concurring), That the message of the Governor, relative to laying the corner-stone of the new Capitol building, be referred to a special joint committee consisting of three on the part of the Senate and five on the part of House ;*

Which has passed the Senate, and in which the concurrence of the House is respectfully asked, and to inform the House that Senators Emerson, DeLand and Richardson have been appointed such committee on the part of the Senate.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Hoyt,

The House concurred in the adoption of the resolution.

#### NOTICES.

Mr. Fey gave notice that on some future day he would ask leave to introduce

A bill providing for a lien for labor and service upon logs and timber.

Mr. C. W. Watkins gave notice that on some future day he would ask leave to introduce

A bill to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties, and to repeal chapter ninety-seven of the compiled laws of 1871, and also act number 94 of the session laws of 1871, approved April 12, 1871.

Mr. Greusel gave notice that on some future day he would ask leave to introduce

A bill to amend section 12 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being

chapter 139 of the compiled laws of 1871, paragraph 7444 (to regulate the duties and compensation of coroners).

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill to detach surveyed townships nineteen and twenty north, of range two west, in the county of Gladwin, from the township of Gladwin, and attach the same to the township of Grant.

Mr. Morse gave notice that on some future day he would ask leave to introduce

A bill to legalize bounties to certain volunteers credited to Elba, Gratiot county, and to provide for the payment of the same.

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 418 of session laws of 1871, being an act to provide for the construction of a State road in the counties of Isabella, Midland, and Clare, and to release the taxes appropriated to the proper township.

Mr. Simpson gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Bangor.

Mr. Withington gave notice that on some future day he would ask leave to introduce

A bill to enable agricultural and horticultural societies, and horse-fairs, to extend a more perfect protection to their property and the property of exhibitors at fairs, and to allow the board of managers to appoint a police for that purpose.

Mr. Lamb gave notice that on some future day he would ask leave to introduce

A bill to repeal an act entitled "An act for the re-organization of the military forces of the State of Michigan," approved January 18 1862, being chapter 18, page 317, of the compiled laws of 1871.

Mr. Lamb gave notice that on some future day he would ask leave to introduce

A bill to provide for commissioners to examine and appraise the State public lands.

Mr. Harris gave notice that on some future day he would ask leave to introduce

A bill granting certain privileges to the Ontonagon Boom Company.

#### INTRODUCTION OF BILLS.

Mr. Rose, previous notice having been given and leave being granted, introduced

A bill to amend sections 4, 48, and 61 of act No. 459, of the session laws of 1860, entitled "An act to incorporate the city of Big Rapids," and section 32 of act No. 241, of the session laws of 1871, amendatory thereof.

The bill was read a first and second time by its title, and referred to the committee on municipal corporation.

Mr. Harris, previous notice having been given and leave being granted, introduced

A bill to organize the township of Sibley, in Keweenaw county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Breitung, previous notice having been given and leave being granted, introduced

A bill to organize the township of Tilden in the county of Marquette.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Perry, previous notice having been given and leave being granted, introduced

A bill to provide for the proper labeling of matches.

The bill was read a first and second time by its title, and referred to the committee on public health.

Mr. Garfield previous notice having been given and leave being granted, introduced

A bill to amend section 84 of chapter 136 of primary school laws, being section 3653 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Howard, previous notice having been given and leave being granted, introduced

A bill to amend section 2 of chapter 10, section 12 of chapter 12, and sections 2 and 6 of chapter 13 of act No. 452 of the session laws of 1869, being "An act to revise and amend an act entitled an act entitled 'An act to revise the charter of the city of Port Huron,' " approved April 5, 1869.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Cook, previous notice having been given and leave being granted, introduced

A bill to amend an act to amend an act to incorporate the village of Manchester, approved March 16, 1867, as amended by act No. 248 of the session laws of 1871, approved March 25, 1871, by adding two new sections, to stand as sections 28 and 29 of said act.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Sessions, previous notice having been given, and leave being granted, introduced

A bill to authorize the board of superyisors of Ionia county to apportion and cause to be levied certain taxes upon certain portions of fractional school district No. 5, of the townships of Portland, Danby, Orange, and Sebewa, in the year 1873.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Blackman, previous notice having been given and leave being granted, introduced

A bill to amend section 31 of chapter 136, being section 3611 of the compiled laws of 1871, relating to primary schools.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Blackman, previous notice having been given and leave being granted, introduced

A bill to amend section 10 of chapter 75, being section 2414 of the compiled laws of 1871, relative to the incorporation of railroad companies.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Fancher, previous notice having been given and leave being granted, introduced

A bill to repeal act No. 489, being "An act to lay out and establish a State road in the counties of Midland and Gladwin and to appropriate certain non-resident highway taxes for the construction thereof."

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Curtis, previous notice having been given and leave being granted, introduced

A bill to exempt the county of Ottawa from the provisions of the county drainage law.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Ripley, previous notice having been given and leave being granted, introduced

A bill to amend section 20 of act No. 496 of the laws of 1867, entitled "An act to revise and amend the charter of the city of Saginaw, approved February 5, 1859," approved March 27, 1867, as amended by act No. 224 of the laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Briggs, previous notice having been given and leave being granted, introduced

A bill to amend section 27 of "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 993, chapter 21, of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on ways and means.



Mr. Thomas, previous notice having been given and leave being granted, introduced

A bill to reorganize the fourteenth and ninth judicial circuits, and to create the twentieth judicial circuit.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Eggleston, unanimous consent being given, introduced

A bill to legalize the action of the board of supervisors of the county of Kent, authorizing the construction of a dam across Grand River at Grand Rapids, and to legalize a dam constructed at that point.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Buell asked leave to withdraw a bill introduced by him entitled

A bill to provide for the early taxation of the lands of the Chicago and Northwestern Railroad company ;

Which leave was granted.

The committee on public lands, by unanimous consent, reported as follows :

The committee on public lands, to whom was referred

A bill to provide for the early taxation of the lands of the Chicago and Northwestern Railroad Company,

Respectfully report the same back to the House, in accordance with the order of the House.

WM. SESSIONS, *Chairman*.

Report accepted and committee discharged.

Mr. Buell then withdrew the bill.

#### THIRD READING OF BILLS.

House bill No. 63, entitled

A bill to provide for licensing the keeping of dogs ;

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Bonine moved that there be a call of the House ;

Which motion prevailed.

## PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following member reported absent without leave: Mr. O'Dell.

On motion of Mr. Ripley,

All further proceedings under the call were dispensed with.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Bailey,	Mr. Haire,	Mr. Speed,
Bartholomew,	Hoar,	Thomas,
Blackman,	Hosner,	Thompson,
Bonine,	Hoyt,	Van Aken,
Briggs,	Lamb,	A. Walker,
Branson,	Lewis,	B. Walker,
Buell,	Lockwood,	F. Walker,
Burns,	E. R. Miller,	J. Walker,
Caplis,	R. C. Miller,	L. Walker,
Chasey,	Parsons,	Walton,
Chamberlain,	Perry,	C. W. Watkins,
Drake,	Pierce,	E. C. Watkins,
Drew,	Priest,	Welker,
Edwards,	Remer,	West,
Fancher,	Robinson,	Wheeler,
Ferguson,	Scott,	Withington,
Fey,	Shaw,	Zimmerman,
Grant,	Smith,	Speaker,
Green,		

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## NAYS.

Mr. Ackley,	Mr. Garvelink,	Mr. Morse,
Armstrong,	Goodrich,	Rich,
Bottomley,	Gordon,	Ripley,
Breitung,	Greusel,	Robertson,
Cady,	Hertzler,	Sanderson,
Carter,	Hewitt,	Sessions,
Climie,	Howard,	Simpson,
Cook,	Kipp,	Striker,
Curtis,	Knapp,	Van Scoy,
Dinturff,	▲ Luce,	Welch,
Eggleston,	Markey,	Wixson,
Garfield,	Mitchell,	

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Title agreed to.

Mr. L. Walker moved that the bill be ordered to take effect from and after the first of April next;

Which motion did not prevail,

Two-thirds of all the members elect not voting therefor.

House bill No. 69, entitled

A bill to amend an act entitled "An act supplementary to the charter of the city of Detroit, relating to a public park or other public grounds for the use of said city," being act No. 277 of the session laws of the year 1871, approved April 15. 1871,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Speed moved to amend the bill by striking out all after the word "grounds" in 4th line of section 11, and inserting the words "and such estimates, if approved by the common council, or so much thereof as may be approved by the common council, shall be placed upon the general or other proper assessment rolls, and shall be levied and collected the same as other city taxes, or may be provided for and raised by issue and sale of Detroit park fund bonds authorized to be issued by this act and remaining unsold and undisposed of as the common council may think proper and may authorize by resolution ;"

Which motion prevailed.

Pending the vote on the passage of the bill,

On motion of Mr. J. Walker,

The House took a recess until two o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

THIRD READING OF BILLS.

The House resumed the consideration of

House bill No. 69, entitled

A bill to amend an act entitled "An act supplementary to

the charter of the city of Detroit, relating to a public park or other public grounds for the use of said city," being act No. 277 of the session laws of the year 1871, approved April 15, 1871;

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Robinson,
Armstrong,	Grant,	Robertson,
Bailey,	Haire,	Sanderson,
Bartholomew,	Harris,	Scott,
Bonine,	Hewitt,	Sessions,
Bottomley,	Hoar,	Shaw,
Breitung,	Howard,	Speed,
Brunson,	Hoyt,	Striker,
Buell,	Knapp,	Thompson,
Burns,	Lewis,	Van Scoy,
Cady,	Lockwood,	A. Walker,
Caplis,	E. R. Miller,	B. Walker,
Climie,	R. C. Miller,	F. Walker,
Cook,	Mitchell,	L. Walker,
Dinturff,	Morse,	Walton,
Drew,	O'Dell,	Warren,
Eggleston,	Perry,	O. W. Watkins,
Fancher,	Priest,	Withington,
Ferguson,	Remer,	Zimmerman,
Fey,	Rich,	Speaker,
Goodrich,	Ripley,	

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## NAYS.

Mr. Blackman,	Mr. Green,	Mr. Smith,
Briggs,	Greusel,	Thomas,
Carter,	Hertzler,	Van Aken,
Chafey,	Hosner,	J. Walker,
Chamberlain,	Kipp,	E. C. Watkins,
Curtis,	Lamb,	Welch,
Drake,	Luce,	Welker,
Edwards,	Markey,	Wheeler,
Garfield,	Pierce,	Wixson,
Garvelink,	Simpson,	

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Title agreed to.

Senate bill No. 9, entitled

A bill to facilitate the collection of recognizances in criminal cases,

Was read a third time, and, pending the taking of the vote on the passage thereof,

On motion of Mr. Shaw,

The bill was recommitted to the committee on judiciary.

MOTIONS AND RESOLUTIONS.

Mr. Breitung moved to discharge the committee of the whole from the further consideration of

House bill No. 67, entitled

A bill to amend sections six and fifteen of an act relative to the formation of mining companies, approved February 5, 1853, and section six of an act supplementary to the foregoing act, approved February 6, 1855, being sections 2841, 2850, and 2870 of chapter 95 of the compiled laws of 1871;

Which motion prevailed.

On motion of Mr. Breitung,

The bill was recommitted to the committee on mines and minerals.

Mr. Thomas moved that the committees on University and Normal School and State affairs be discharged from the further consideration of certain petitions referred to them relative to the Detroit medical college ;

Which motion prevailed.

By the committee on University and Normal School:

The committee on University and Normal School, to whom was referred

Petition of J. A. Brown, M. D., Z. R. Brockway, F. Buhl, and 40 others, asking an appropriation for the Detroit Medical College,

Respectfully report the same back to the House, in accordance with their order.

H. F. THOMAS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Thomas,

The petition was referred to the committee on public health.

By the committee on State affairs :

The committee on State affairs, to whom was referred  
Petition of Philo Parsons, A. C. McGraw, C. Van Husen,  
and 30 others, asking an appropriation of \$30,000 for the  
Detroit Medical College,

Respectfully report the same back to the House in accordance with their order.

L. WALKER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Thomas,

The petition was referred to the committee on public health.

#### GENERAL ORDER.

On motion of Mr. Simpson,

The House went into committee of the whole on the general order,

Mr. Hoar in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled bill :

1. House bill No 65, entitled

A bill to amend section 18 of chapter 26 of the compiled laws of 1871, relative to laying out, altering, and discontinuing highways, approved March 15, 1861 ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bills :

2. House bill No. 66, entitled

A bill to amend section two of the compiled laws of 1871, of "An act to authorize the several townships of this State to raise money by tax, or to borrow money, to build or repair bridges," approved March 25, 1867, page 135 ;

3. Senate bill No. 24, entitled

A bill to amend section 190 of chapter 178 of the compiled

laws, entitled "Courts held by justices of the peace," approved Feb. 13, 1855 ;

4. Senate bill No. 29, entitled

A bill to legalize the tax roll of the township of Reeder, in the county of Missaukee, for the year eighteen hundred and seventy-two ;

5. Senate bill No. 32, entitled

A bill regarding overdue specific taxes ;

6. Senate bill No. 33, entitled

A bill to extend the provisions of an act entitled "An act to authorize the Auditor General to assess, by estimate, specific taxes upon corporations which neglect or refuse to make the report as required by law upon which specific taxes are computed, and to provide for the collection of the same," approved March 29, 1872 ;

7. Senate bill No. 25, entitled

A bill to provide for the alteration or amendment of the articles of association of companies organized under chapter 95 of the compiled laws of 1871 ;

8. House bill No. 60, entitled

A bill to amend section 1 of an act entitled "An act to, revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869, being section 2093 of the compiled laws of 1871 ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

R. M. HOAR, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shaw,

The House concurred in the amendments made to the first named bill by the committee, and it was placed on the order of third reading.

The last seven named bills were placed on the order of third reading.

Mr. E. R. Miller, unanimous consent being given, introduced Joint resolution instructing the Commissioner of the State Land Office to issue a certificate.

The joint resolution was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Grant moved that the House resolve itself into committee of the whole on the general order;

Pending which,

On motion of Mr. Greusel,

The House adjourned.

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*Lansing, Thursday, February 13, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Wood.

Roll called: quorum present.

Absent without leave: Messrs. Shaw and C. W. Watkins.

Mr. J. Walker asked and obtained leave of absence for Mr. Bottomley for the day.

Mr. Climie asked and obtained leave of absence for himself until Tuesday next.

Mr. Speed asked and obtained leave of absence for Mr. Shaw for the day.

Mr. Thomas asked and obtained leave of absence for Mr. C. W. Watkins for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Greusel: Memorial of S. B. McCracken, asking that the University and other State Institutions be made unsectarian;

Referred to the committee on University and Normal School.

By Mr. Kipp: Petition of S. O'Dell and 42 others, of Gen-



essee county, in favor of a law to protect the people against loss by railroad fires;

Referred to the committee on railroads.

The following is the petition:

*To the Honorable Senate and House of Representatives of the State of Michigan :*

The undersigned respectfully petition your honorable body for the enactment of a law that shall give us the necessary and adequate protection against losses occasioned by railroad fires throughout this State. Your petitioners recognize the right of eminent domain by which the State authorizes the occupancy and possession of such portions of our property as may be required for railroad purposes; but we fail to see why this special privilege should be supplemented with immunity from liability of losses on contiguous property, originating from the use of such road. Your petitioners are held personally responsible for losses occasioned by fires set on their own premises which may get beyond their limits and thus work damage to their neighbors. The Supreme Court of this State holds that under the present law railroads are not liable for fences, crops, buildings, and other property burned by them, unless it is shown that their machinery was *not* in good order, or was improperly managed. Your petitioners ask a law making damage resulting from railroad fires *prima facie* evidence of the liability of every such railroad company for all damage resulting therefrom.

By Mr. L. Walker: Remonstrance of Z. Truesdell and 78 others of Genesee county, against the abolition of the office of county superintendent of schools;

Also: Remonstrance of L. W. Houson and eight others, for the same purpose.

Referred to the committee on education.

The following is the remonstrance:

*To the Honorable, the Legislature of Michigan :*

Believing that the system of county superintendency of

schools has accomplished much in elevating the standard of our schools, in the increased ability of teachers, and an increased interest in the minds of the people, and that it will accomplish still more in the future, we, the undersigned, earnestly remonstrate to your honorable body against the repeal of the law by which said system was created; and your petitioners will ever pray, etc.

The Speaker announced the following:

MT. CLEMENS, MICH., Feb. 11th, 1873.

HON. D. L. CROSSMAN, Lansing, Mich.:

DEAR SIR—While the subject of the operations of the Grand Trunk railroad is under consideration, we wish to say that while such cities as Detroit have reason to complain, we local stations have still more. The Grand Trunk coming in competition with other roads at Detroit, they are obliged to grant Detroit favors that we cannot get; and since the action taken by the "Detroit Board of Trade" last month we are granted no favors at all. We have never yet had a car of flour put through to New York or Boston in less than 14 days, and that in only one or two instances; in the majority of cases they take 30 days and often 40. By these delays they beat us out of an eastern trade (*in the first six months we shipped over the road*), the profits of which were worth \$3,000 per year to us. In May and June last we had 600 barrels flour detained at Port Huron for 40 days, or until the eastern market had declined to such an extent that we lost \$1,000, whereas we might have got through without loss if our freight had gone through in proper time. We have had orders in for four cars for four to six week with no prospects of getting any at all. The conduct of all the employes is anything but gentlemanly, and the mode in which they conduct their general business is ruinous to all branches of business conducted at way stations along the road the general wish of all the business men along the line of their road so far as we know, and as expressed daily, is that Congress would remand their charter and condemn the road entirely, as we

believe it impossible ever to get business done by it satisfactorily under its present management.

Truly yours,

KELLOGG & Co.,

*Proprietors Mt. Clemens City Mills.*

The communication was referred to the special committee on the Port Huron & Lake Michigan and the Grand Trunk railroads.

The Speaker also announced the following:

*Detroit, Feb. 9th, 1873.*

*To the Speaker of the House of Representatives of the State of Michigan:*

DEAR SIR: A petition is in circulation favoring the purchase, by the State, of that great work of art, Stanley's picture of "The Trial of Red Jacket."

This State having but recently been owned and occupied by the natives of America, it would be most appropriate that our State Capitol should be adorned with the masterpiece of American art in delineating the Indian history of the United States on canvass. This picture will, of itself, be a sufficient inducement, if placed in the new Capitol, to attract large numbers of our citizens to visit Lansing in all time.

Respectfully,

E. B. WARD.

Referred to the special joint committee relative to the purchase of Stanley's picture, "The trial of Red Jacket."

By Mr. Walton: Petition of A. D. Hall, Z. Cook, and 80 others, indorsed by the president and secretary of the Lenawee county agricultural society, asking for the passage of a law that shall give adequate protection against losses occasioned by railroads throughout this State;

Referred to the committee on railroads.

By Mr. Climie: Petition of S. C. Coffinberry, Chas. M. Haslett, Benj. O. Gladding, Edward Thomas, C. R. Millington, A. M. Beardsley, Chas. H. Barry, and 148 others, citizens of St.

Joseph county, for the repeal of the law establishing the office of county superintendent of schools ;

Referred to the committee on education.

By Mr. Hoyt : Petition of D. B. Jarvis, James Wright, M. M. Jarvis, Lorenzo Hurd and 43 others, citizens of Tuscola county, asking for the enactment of a law providing for a uniformity of text books in the schools of this State ;

Referred to the committee on education.

By Mr. J. Walker : Petition of James Armstrong, Alex. Glen, R. L. Skinner and other citizens of Kalamazoo county, for the repeal of the law creating the office of county superintendent of schools ;

Also : Petition of Levi B. Fisher, E. Monroe, N. B. Harmon and 48 other citizens of Kalamazoo county, for the same purpose ;

Referred to the committee on education.

By Mr. Mitchell : Resolution of the mayor and common council of the city of Marshall, relative to a bill to amend the charter of said city ;

Referred to the committee on municipal corporations.

By Mr. Noyes : Petition of B. J. Billings, Jr., Fred Vogel, E. B. Hovey and 48 others, citizens of Washtenaw county, asking for the prohibition of the manufacture of farm wagons in the State Prison ;

Referred to the committee on the State prison.

By Mr. Curtis : Resolution of the board of supervisors of the county of Ottawa, asking the exemption of said county from the provisions of the county drain law ;

Referred to the committee on drainage.

By Mr. Kipp : Remonstrance of E. M. Adams and 83 others, citizens of Genesee county, against the repeal of the law creating county superintendents of schools ;

Referred to the committee on education.

By Mr. Cobb : Petition of D. Lilienfield & Brother, F. E. Grant & Company, and other citizens of Kalamazoo, Allegan,

and Van Buren counties, asking that a substitute for section 47 of article 4 of the constitution of the State of Michigan, be submitted to the legal voters of the State, which shall authorize the granting of licenses for the sale of ardent spirits ;

Also: Petition of Trobridge & Crosby, and other citizens of Kalamazoo, Allegan, and Van Buren counties for the same purpose ;

Referred to the committee on state affairs.

By Mr. L. Walker: Petition of A. D. Metz, Geo. W. Griffin, and 43 others, inhabitants of Genesee county, for a law making damages resulting from railroad fires *prima facie* evidence of the liability of the railroad company for such damages ;

Referred to committee on railroads.

By Mr. Lamb: Petition of John G. Bruce, John St. Clair, and 30 others, citizens of Lapeer county, asking protection for losses caused by railroad fires ;

Referred to the committee on railroads.

Also: Petition of L. Calkins, John Robinson, Wm. H. Smith, N. B. Eldredge, and 75 others, citizens of Lapeer county, asking for the laying-out and establishing a public highway, and appropriating non-resident highway taxes for the same ;

Referred to the committee on roads and bridges.

#### REPORTS OF STANDING COMMITTEES.

By the committee on railroads:

The committee on railroads, to whom was referred

A bill to amend section 46 of an act to revise the laws providing for the incorporation of railroad companies, approved April 18, 1871, being section 2450, chapter 75 of the compiled laws of 1871,"

Respectfully report they have had the same under consideration, and have directed me to report the same back to the House, without amendment, with the recommendation that it do pass.

Your committee find that this bill changes the above-named section of the present law in two respects: 1st. It gives the husband, as well as the legal heirs of the wife, the right of action for damages in case of the death, caused by the wrongful or negligent act of any railroad company, or any of its employes; and 2d, it repeals the \$5,000 limitation clause.

For these reasons your committee report favorably, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 16, entitled

A bill to provide for the construction of a State road in the county of Newaygo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

For the reason that we do not think it just, and we have grave doubts of the legality of so appropriating the highway taxes.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The bill was laid on the table.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to repeal the second proviso of section 1 of chapter 26 of the compiled laws of 1871, relative to the laying out of highways through orchards,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to

the House without amendment, and without recommendation and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. J. Walker,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain territory from the township of Berlin, and attach the same to the township of Easton, Ionia county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

By this bill a narrow strip of land between a river and township is detached from one town and added to the other.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to detach certain territory from the city of Hillsdale, and to annex the same to the township of Hillsdale, in Hillsdale county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

They find that an arrangement had been entered into between the city and township, which this bill completes.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A petition for the organization of a new town in the county of Sanilac, on account of the small territory which would have to be divided in order to organize the town,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be laid upon the table, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Wixson,

The petition was laid on the table.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

Resolution of board of supervisors of Wayne county relative to the time of holding the annual township meetings,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

The change of time from the first Monday in April to the first Monday in March, would be a serious inconvenience in the northern part of this State, particularly in the lumbering regions.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.



On motion of Mr. Climie,

The resolution was laid on the table.

By the committee on towns and counties :

The committee on towns and counties, to whom was referred

A bill to organize the township of Tilden in the county of Marquette,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

ANDREW CLIMIE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations :

The committee on federal relations, to whom was referred

Joint resolution asking Congress to authorize the construction of bridges over the Detroit river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the joint resolution when so amended do pass, and ask to be discharged from the further consideration of the subject.

Their reasons for so reporting are that they are satisfied that the facts set forth in the preamble and resolutions are true, and that the passage of the same is expedient.

THOMAS C. RIPLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bonine,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Speed,

The joint resolution was made the special order for Friday next, at 2 p. m.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to amend sections 7, 8, 14, 16, and 18, of the compiled laws of 1871, being sections 4725, 4726, 4728, 4730, and 4732 of said compiled laws, the same being parts of the chapter relating to marriage and the solemnization thereof,

Respectfully report that they have had the same under consideration.

The sole object of the proposed amendments is to confer on judges of probate, authority to solemnize marriages. Marriages may now be solemnized by any justice of the peace, in the county for which he is chosen, and throughout the State by any duly ordained resident minister and preacher of the gospel.

There are, or should be, four justices in each township, and resident clergymen in almost every neighborhood, and generally several at every county seat, where the judge of probate is required to hold his office.

The committee are of the opinion that the number already authorized to perform that service is quite sufficient for the convenience of parties ; and they see no ground of public policy which requires the addition of the judge of probate to the number ; and therefore have directed me to report the bill back to the House, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bonine,

The bill was laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred a joint resolution, entitled

Joint resolution to provide for submitting the question of

a general revision of the constitution of the State of Michigan, to the electors thereof,

Respectfully report that they have had the same under consideration. The title of the joint resolution plainly indicates its object. The committee believe that the constitution is in many respects seriously defective and sadly needs revisions; and, inasmuch as if measures to that end are initiated now, they will not result in a new constitution until after the lapse of some years, the committee believe it wise to commence a movement in that direction at this time. The committee have therefore directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman*.

Report accepted and committee discharged.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bill:

House manuscript bill, entitled

A bill to correct and legalize the assessment roll of the township of Dayton, in Newaygo county, for the year 1872, and to extend the time for the collection of the same.

S. H. BLACKMAN, *Chairman*.

Report accepted.

#### COMMUNICATIONS FROM STATE OFFICERS.

The Speaker announced the following:

*Lansing, Feb. 12, 1873.*

*Hon. C. M. Croswell, Speaker of the House of Representatives:*

SIR—Section 4 of chapter 144, being section 3981, compiled laws of 1871, relative to filing three months' proof by settlers, should, I think, be amended so as to more fully protect many parties who now hold, and are in possession of homesteads, who

through neglect or otherwise have failed to file the requisite three months' proof.

That section requires that the settler shall, within three months from the date of the license, file with the Commissioner a certificate from the supervisor, together with the affidavit of the settler that he is in the actual possession and occupancy, and in case such proof is not so filed the settler's claim shall be deemed void, and the Commissioner *shall* from and after such time sell the land the same as other swamp land. I would suggest that an amendment be made by adding to said section after the word "lands," in the 22d line the following, viz:

"*Provided*, It shall appear from the affidavit of the supervisor or two responsible residents of the township in which such lands are situate, that such settler has abandoned said land and is not in the actual possession and occupancy thereof as contemplated by this section."

House bill No. 35, requiring the commissioner to give public notice of the restoration of reserved or forfeited bonds will probably become a law. If so, all licensed lands where the three months' proof has not been filed, will be publicly restored. If, however, an amendment is passed as herein suggested, there will be no forfeiture of licensed lands until proof of non-settlement or abandonment is filed, and it seems no more than just that the settlers should have thrown around them sufficient protection to save them from loss where actual occupancy and improvement has been made.

There has been issued 6521 licenses, of which more than one third have had no three months' proof filed. Probably, very many of the settlers who have not filed such proof are actually in possession and have made improvements. If so, then a re-sale should not be permitted without good cause shown. The expense to the State in re-offering the forfeited lands as contemplated by said bill number 35, will amount to a large sum

annually, and particularly so as to this class of forfeitures, unless an amendment be made as herein mentioned.

Very respectfully,

L. A. CLAPP,

*Commissioner State Land Office.*

The communication was referred to the committee on public lands.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
*Lansing, February 12, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 13, entitled

A bill to authorize the city of Coldwater to borrow money to pay certain claims and demands due and to become due, against said city ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,

On motion of Mr. Van Aken,

The bill was referred to the committee of the whole, and placed on the general order.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, February 12, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 28, entitled

A bill to amend section 166 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, 1869, being section 1132 of the compiled laws of 1871 ;

Which has passed the Senate by a majority of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 12, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following joint resolution :

House joint resolution No. 3, entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to procure an amendment to the pension law granting pensions to the surviving soldiers of the war of 1812, so as to entitle all of said soldiers to a pension irrespective of time of service,

And to inform the House that the Senate has amended the same by inserting in line three of the resolution after the figures " 1812," the words " who remained loyal to the Government during the late war ; "

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Priest moved that the House concur in the amendments made to the joint resolution by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Goodrich,	Mr. Robinson,	
Armstrong,	Gordon,	Robertson,	
Bailey,	Green,	Sanderson,	
Bartholomew,	Greusel,	Scott,	
Blackman,	Haire,	Sessions,	
Bonine,	Harris,	Simpson,	
Breitung,	Hertzler,	Smith,	
Briggs,	Hewitt,	Speed,	
Brunson,	Hoar,	Striker,	
Cady,	Howard,	Thomas,	
Caplis,	Hoyt,	Thompson,	
Carter,	Kipp,	Van Aken,	
Chafey,	Knapp,	Van Scoy,	
Chamberlain,	Lamb,	B. Walker,	
Cobb,	Lewis,	F. Walker,	
Cook,	Lockwood,	J. Walker,	
Curtis,	Luce,	L. Walker,	
Dinturff,	Markey,	Walton,	
Drake,	R. C. Miller,	Warren,	
Drew,	Mitchell,	Welch,	
Edwards,	Morse,	Welker,	
Eggleston,	Noyes,	West,	
Fancher,	O'Dell,	Wheeler,	
Ferguson,	Parsons,	Withington,	
Fey,	Pierce,	Wixson,	
Garfield,	Priest,	Zimmerman,	
Garvelink,	Rich,	Speaker,	83
Gilmore,	Ripley,		
	NAYS.		0

The joint resolution was then referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 12, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 11, entitled

A bill to extend aid to the University of Michigan, and to repeal an act entitled "An act to extend aid to the University of Michigan," approved March 15, 1867, being sections 3506 and 3507 of the compiled laws of 1871;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on University and Normal School.

#### NOTICES.

Mr. Hoyt gave notice that on some future day he would ask leave to introduce

A bill to amend section 45 of chapter 192, the same being section 6119 of the compiled laws of 1871, relative to judgments and executions.

Mr. Fancher gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 43 of the compiled laws of 1871, being an act to protect the title of the owners of floating logs and lumber, by adding a new section thereto, to stand as section 7 of said act.

Mr. Hoyt gave notice that on some future day he would ask leave to introduce

A bill to provide for the publication of the documentary history of this State.

Mr. Sanderson gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of chapter 49, being section 1801 of the compiled laws of 1871, relative to the support of poor persons by their relatives.



Mr. Gilmore gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Blissfield.

Mr. West gave notice that on some future day he would ask leave to introduce

A bill to provide for a uniformity of text books in the public schools.

Mr. Withington gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of "An act to create a soldiers' aid fund for disabled Michigan soldiers, sailors, and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States," the same being section 960, chapter 20 of the compiled laws of 1871.

Mr. Blackman gave notice that on some future day he would ask leave to introduce

A bill to amend section 23 of chapter 239, being section 7451 of the compiled laws of 1871, relative to fees in the office of the Secretary of State ;

Also,

A bill to amend section 1 of an act entitled "An act to incorporate the village of Paw Paw," approved March 28, 1867, by adding more territory to said village.

Mr. Speed gave notice that on some future day he would ask leave to introduce

A bill to amend sections 1 and 2 of an act entitled "An act to authorize the formation of gas light companies," approved February 12, 1855, and to add a new section thereto to stand as section 14.

#### INTRODUCTION OF BILLS.

Mr. Warren, previous notice having been given and leave being granted, introduced

A bill to repeal section 13 of an act entitled "An act for the relief of school districts," being section 3725, chapter 136 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Gilmore previous notice having been given and leave being granted, introduced

A bill to incorporate the village of Deerfield, in the county of Lenawee.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Fancher, previous notice having been given and leave being granted, introduced

A bill providing for a lien for labor and service upon logs and timber.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Curtis, previous notice having been given and leave being granted, introduced

A bill to exempt the county of Ottawa from the provisions of the county drainage law.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Chamberlain, previous notice having been given and leave being granted, introduced

A bill making appropriation for the State Reform School for the years 1873 and 1874.

The bill was read a first and second time by its title, and referred to the committee on Reform School.

Mr. Van Aken, previous notice having been given and leave being granted, introduced

A bill to amend sections 15, 16, 17, 18, 22, 23, 24, chapter 24 of the revised statutes of 1846, and acts amendatory thereof, being sections 1240, 1241, 1242, 1243, 1247, 1248, 1249, chapter 25, compiled laws of 1871, entitled "Duties of overseers in regard to the performance of labor and the application of moneys by the commissioner."

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Fancher, previous notice having been given and leave being granted, introduced

A bill to repeal act No. 419 of session laws of 1871, being an act to provide for the laying out and constructing a State road in Isabella county, and refunding the appropriation.

The bill was read a first and second time by its title, and referred to the committee roads and bridges.

Mr. Chamberlain, previous notice having been given and being granted, introduced

A bill to amend act No. 419 of the session laws of 1869, being a bill to incorporate the village of New Buffalo, being act No. 419 of the session laws of 1869, and to add a new section thereto.

The bill was read a first and second time by its title and referred to the committee on municipal corporations.

Mr. Lamb, previous notice having been given and leave being granted, introduced

A bill to provide for commissioners to examine and appraise the State public lands.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Lamb, previous notice having been given and leave being granted, introduced

A bill to repeal an act entitled "An act for the re-organization of the military forces of the State of Michigan," approved January 18, 1862, being chapter 18, page 317, of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Harris, previous notice having been given and leave being granted, introduced

A bill granting certain privileges to the Ontonagon Boom Company.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Fancher, previous notice having been given and leave being granted, introduced

A bill to repeal act No. 418 of session laws of 1871, being an act to provide for the construction of a State road in the counties of Isabella, Midland, and Clare, and to release the taxes appropriated to the township from which they were originally taken.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Welker, previous notice having been given and leave being granted, introduced

A bill to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of chapter 64 of the compiled laws of 1871, relative to the protection of game and muskrats.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Climie, previous notice having been given and leave being granted, introduced

A bill regulating freights on railroads.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Withington, previous notice having been given and leave being granted, introduced

A bill to enable agricultural and horticultural societies, and horse fairs, to extend a more perfect protection to their property and the property of exhibitors at fairs, and to allow the board of managers to appoint a police for that purpose.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Van Aken, previous notice having been given and leave being granted, introduced

A bill to amend section 6, chapter 24, being section 1221, of the compiled laws of 1871, relative to persons liable to work on highways, and making assessments therefor.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Mitchell, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to incorporate the city of Marshall," approved February 14, 1859, by adding a new section thereto.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Caplis, unanimous consent being given, introduced

A bill to grant 25,000 acres of swamp land to the Detroit Medical College.

The bill was read a first and second time by its title and referred to the committee on public lands.

Mr. J. Walker, unanimous consent being given, introduced

A bill to change the name of the Agricultural College to that of "Reform School for Girls."

The bill was read a first and second time by its title, and referred to the committee on Agricultural College.

Mr. Bonine, previous notice having been given and leave being granted, introduced

A bill to amend section 1 of an act entitled "An act to incorporate the city of Niles, approved February 12, 1859, as amended by section 1 of an act entitled an act to amend an act to incorporate the city of Niles, approved February 12, 1859," approved March 16, 1867, and to add new sections thereto.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Robertson, unanimous consent being given, introduced

Joint resolution relating to the appointment of an agent for the collection of the amount due from the United States to the State of Michigan, on account of lands in this State disposed of by Indian reservation, military warrants, and land scrip, issued for military services in the wars of the United States.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Grant, unanimous consent being given, introduced

A bill to amend section 71 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1037, chapter 31 of the compiled laws of 1871 ;

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Grant, unanimous consent being given, introduced

A bill to amend section 68 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1034 of chapter 21 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Grant, unanimous consent being given, introduced

A bill for the protection of the State treasury :

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Buell, by unanimous consent, offered the following :

*Resolved*, That a committee of three be appointed, whose duty it shall be to examine into and report to this House, whether, in their opinion, the Legislature has the right to repeal the general law of 1871, exempting railroad lands from taxation ; whether, in case of such repeal, all railroad lands which had been earned by railroad companies prior to the passage of the act of 1871 are not subject to immediate taxation ; and the committee be instructed to report further, whether, in their opinion the constitutional power vests in the Legislature to exempt the granted lands of railroad companies from taxation, and if such power does exist, to report upon the expediency of exempting from taxation the lands of actual settlers within the limits of railroad grants ;

Which was adopted.

## THIRD READING OF BILLS.

House bill No. 65, entitled

A bill to amend section eighteen of chapter twenty-six of the compiled laws of 1871, relative to laying out, altering, and discontinuing highways, approved March 15, 1861,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bartholomew,  
Blackman,  
Bonine,  
Breitung,  
Brunson,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Eggleston,  
Fancher,  
Ferguson,  
Fey,

Mr. Garvelink,  
Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,  
Hoar,  
Knapp,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Noyes,  
O'Dell,  
Pierce,

Mr. Rich,  
Robertson,  
Sanderson,  
Scott,  
Speed,  
Thomas,  
A. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Warren,  
West,  
Withington,  
Speaker,

44

## NAYS.

Mr. Bailey,  
Briggs,  
Buell,  
Cady,  
Caplis,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Garfield,  
Gilmore,  
Goodrich,

Mr. Hertzler,  
Hewitt,  
Howard,  
Hoyt,  
Kipp,  
Lewis,  
Lockwood,  
Luce,  
Mitchell,  
Morse,  
Priest,  
Ripley,  
Robinson,  
Sessions,

Mr. Simpson,  
Smith,  
Striker,  
Thompson,  
Van Aken,  
Van Scoy,  
B. Walker,  
Walton,  
E. C. Watkins,  
Welch,  
Welker,  
Wheeler,  
Wixson,  
Zimmerman, 42

House bill No. 66, entitled

A bill to amend section 2 of compiled laws of 1871, of "An

act to authorize the several townships of this State to raise money by tax, or to borrow money, to build or repair bridges," approved March 25, 1867, laws of 1867, page 135,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Armstrong,	Mr. Green,	Mr. Robertson,
Bartholomew,	Greusel,	Sanderson,
Blackman,	Haire,	Scott,
Bonine,	Harris,	Speed,
Breitung,	Hewitt,	Thomas,
Brunson,	Hoar,	Thompson,
Carter,	Knapp,	A. Walker,
Chafey,	Luce,	F. Walker,
Chamberlain,	Markey,	J. Walker,
Drake,	E. R. Miller,	L. Walker,
Drew,	Mitchell,	E. C. Watkins,
Fancher,	Noyes,	Welch,
Ferguson,	O'Dell,	West,
Garvelink,	Pierce,	Wheeler,
Grant,	Robinson,	Speaker, 45

## NAYS.

Mr. Ackley,	Mr. Gilmore,	Mr. Sessions,
Bailey,	Goodrich,	Simpson,
Briggs,	Gordon,	Smith,
Buell,	Hertzler,	Striker,
Cady,	Howard,	Van Aken,
Caplis,	Hoyt,	Van Scoy,
Climie,	Kipp,	B. Walker,
Cobb,	Lewis,	Walton,
Cook,	Lockwood,	Warren,
Curtis,	R. C. Miller,	Welker,
Dinturff,	Morse,	Withington,
Eggleston,	Priest,	Wixson,
Fey,	Ripley,	Zimmerman,
Garfield,		40

Senate bill No. 24, entitled

A bill to amend section 190, of chapter 178, of the compiled laws, entitled "Courts held by justice of the peace," approved February 13, 1855,



Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Robertson,
Armstrong,	Goodrich,	Sanderson,
Bailey,	Gordon,	Scott,
Bartholomew,	Grant,	Sessions.
Blackman,	Green,	Simpson,
Bonine,	Greusel,	Smith,
Breitung,	Haire,	Speed,
Briggs,	Harris,	Striker,
Brunson,	Hertzler,	Thomas,
Buell,	Hewitt,	Thompson,
Cady,	Hoar,	Van Aken,
Caplis,	Howard,	Van Scoy,
Carter,	Hoyt,	A. Walker,
Chafey,	Kipp,	B. Walker,
Chamberlain,	Knapp,	F. Walker,
Olimie,	Lewis,	J. Walker,
Cobb,	Lockwood,	L. Walker,
Cook,	Luce,	Walton,
Curtis,	Markey,	Warren,
Dinturff,	R. C. Miller,	E. C. Watkins,
Drake,	Mitchell,	Welch,
Drew,	Morse,	Welker,
Eggleston,	Noyes,	West,
Fancher,	O'Dell,	Wheeler,
Ferguson,	Pierce,	Withington,
Fey,	Priest,	Wixson,
Garfield,	Ripley,	Zimmerman,
Garvelink,	Robinson,	Speaker,

83

## NAYS.

0

Title agreed to.

Senate bill No. 29, entitled

A bill to legalize the tax roll of the township of Reeder, in the county of Missaukee, for the year eighteen hundred and seventy-two,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Rose,
Armstrong,	Green,	Sanderson,

Mr. Bailey,	Mr. Greusel,	Mr. Scott,	
Bartholomew,	Haire,	Sessions,	
Blackman,	Harris,	Simpson,	
Bonine,	Hertzler,	Speed,	
Breitung,	Hewitt,	Striker,	
Briggs,	Hoar,	Thomas,	
Brunson,	Howard,	Thompson,	
Buell,	Hoyt,	Van Aken,	
Cady,	Kipp,	Van Scoy,	
Caplis,	Knapp,	A. Walker,	
Carter,	Lewis,	B. Walker,	
Chafey,	Lockwood,	F. Walker,	
Chamberlain,	Luce,	J. Walker,	
Cobb,	Markey,	L. Walker,	
Cook,	E. R. Miller,	Walton,	
Curtis,	R. C. Miller,	Warren,	
Dinturff,	Mitchell,	E. C. Watkins,	
Drew,	Morse,	Welch,	
Edwards,	Noyes,	Welker,	
Eggleston,	O'Dell,	West,	
Fancher,	Pierce,	Wheeler,	
Ferguson,	Priest,	Withington,	
Garfield,	Ripley,	Wixson,	
Garvelink,	Robinson,	Zimmerman,	
Goodrich,	Robertson,	Speaker,	82
Gordon,			0
	NAYS.		

Title agreed to.

On motion of Mr. Bonine,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 32, entitled

A bill regarding overdue specific taxes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Scott,
Armstrong,	Greusel,	Sessions,
Blackman,	Haire,	Simpson,
Bonine,	Harris,	Smith,
Briggs,	Hertzler,	Speed,
Brunson,	Hewitt,	Striker,
Cady,	Hoar,	Thomas,

Mr. Caplis, Carter, Chasey, Chamberlain, Cobb, Cook, Curtis, Dinturff, Drew, Edwards, Eggleston, Fancher, Ferguson, Fey, Garfield, Garvelink, Goodrich, Gordon, Grant,	Mr. Hoyt, Kipp, Knapp, Lockwood, Luce, Markey, E. R. Miller, R. C. Miller, Mitchell, Morse, Noyes, O'Dell, Pierce, Priest, Ripley, Robinson, Robertson, Rose, Sanderson,	Mr. Thompson, Van Aken, Van Scoy, A. Walker, B. Walker, F. Walker, J. Walker, L. Walker, Walton, Warren, E. C. Watkins, Welch, Welker, West, Wheeler, Withington, Wixson, Zimmerman,
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77

## NAYS.

Mr. Bailey, Breitung,	Mr. Gilmore, Howard,	Mr. Lewis,
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5

Title agreed to.

On motion of Mr. Van Scoy,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 25, entitled

A bill to provide for the alteration or amendment of the articles of association of companies organized under chapter 95 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley, Armstrong, Bartholomew, Blackman, Bonine, Breitung, Briggs, Brunson,	Mr. Grant, Green, Greusel, Haire, Harris, Hertzler, Hewitt, Hoar,	Mr. Robinson, Rose, Sanderson, Scott, Sessions, Simpson, Striker, Thomas,
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Mr. Cady, Caplis, Carter, Chafey, Chamberlain, Cobb, Cook, Curtis, Dinturff, Drake, Drew, Edwards, Fancher, Ferguson, Fey, Garvelink, Goodrich, Gordon,	Mr. Howard, Hoyt, Kipp, Knapp, Lewis, Lockwood, Luce, Markey, E. R. Miller, R. C. Miller, Mitchell, Morse, Noyes, O'Dell, Pierce, Priest, Ripley, Robertson,	Mr. Thompson, Van Scoy, A. Walker, B. Walker, F. Walker, J. Walker, L. Walker, Walton, Warren, E. C. Watkins, Welch, Welker, West, Wheeler, Withington, Wixson, Zimmerman, Speaker,
	NAYS.	78

Mr. Bailey, Gilmore,	Mr. Smith,	Mr. Van Aken,
		4

Title agreed to.

On motion of Ferguson,

By a two-thirds vote of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 33, entitled

A bill to extend the provisions of an act entitled "An act to authorize the Auditor General to assess, by estimate, specific taxes upon corporations which neglect or refuse to make the report as required by law, upon which specific taxes are computed, and to provide for the collection of the same," approved March 29, 1872,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley, Armstrong, Bailey, Bartholomew, Blackman, Bonine,	Mr. Greusel, Haire, Harris, Hertzler, Hewitt, Hoar,	Mr. Sanderson, Scott, Sessions, Simpson, Smith, Speed,
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<b>Mr. Breitung,</b>	<b>Mr. Howard,</b>	<b>Mr. Striker,</b>
Briggs,	Hoyt,	Thomas,
Brunson,	Kipp,	Thompson,
Cady,	Knapp,	Van Aken,
Carter,	Lewis,	Van Scoy,
Chafey,	Lockwood,	A. Walker,
Cobb.	Luce,	B. Walker,
Cook,	Markey,	F. Walker,
Dinturff,	E. R. Miller,	J. Walker,
Drake,	R. C. Miller,	L. Walker,
Drew,	Mitchell,	Walton,
Fancher,	Noyes,	Warren,
Ferguson,	O'Dell,	Welch,
Fey,	Pierce,	Welker,
Garfield,	Priest,	West,
Garvelink,	Rich,	Wheeler,
Gilmore,	Ripley,	Withington,
Goodrich,	Robinson,	Wixson,
Gordon,	Robertson,	Zimmerman,
Grant,	Rose,	Speaker,
Green,		

79

NAYS.

0

Title agreed to.

On motion of Mr. R. C. Miller,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 60, entitled

A bill to amend section 1 of an act entitled "An act to, revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869, being section 2093 of the compiled laws of 1871,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Fey moved to amend the bill by striking out section 2 of the bill ;

Pending which,

On motion of Mr. Withington,

The bill was recommitted to the committee on State affairs

Mr. Bartholomew, by unanimous consent, offered the following:

WHEREAS, The Assistant Sergeant-at-Arms is sick and unable to attend to the duties of his office, therefore .

*Resolved*, That the Sergeant-at-Arms is hereby authorized to employ such assistance as may be necessary until the Assistant is able to discharge his duties ;

Which was adopted.

Mr. Hoyt moved to reconsider the vote by which the House ordered the petition of S. B. McCracken, asking that the University and other State institutions be made unsectarian, to be spread on the journal of the House ;

Which motion prevailed.

The question recurring on ordering the memorial printed in the journal,

The motion did not prevail.

On motion of Mr. Brunson,

The House took a recess until two o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

Mr. Bailey, unanimous consent being given, introduced

A bill to legalize the tax roll of the village of Vernon, in the county of Shiawassee, for the year 1871, and to extend the time for the collection of the taxes therein.

The bill was read a first and second time by its title, and,

On motion of Mr. Bailey,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the bill was put upon upon its immediate passage.

The bill was then read a third time and passed, two-thirds of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman.  
Bonine,  
Breitung,  
Briggs,  
Brunson,  
Buell,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Chamberlain,  
Olimie,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Fancher,  
Ferguson,  
Fey,  
Garfield,

Mr. Garvelink,  
Gilmore,  
Goodrich,  
Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Harris,  
Hertzler,  
Hewitt,  
Hoar,  
Howard,  
Hoyt,  
Kellogg,  
Knapp,  
Lockwood,  
Markey,  
E. R. Miller,  
R. C. Miller.  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Parsons,  
Pierce,

Mr. Priest,  
Rich,  
Robinson,  
Robertson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Smith,  
Thomas,  
Thompson,  
Van Aken,  
Van Scoy,  
A. Walker,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
Welch,  
West,  
Wheeler,  
Withington,  
Zimmerman,  
Speaker, 78

## NAYS.

0

Title agreed to.

On motion of Mr. Bailey,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Drew moved to reconsider the vote by which the House passed

House bill No. 69, entitled

A bill to amend an act entitled "An act supplementary to the charter of the city of Detroit, relating to a public park or other public grounds for the use of said city," being act No. 277 of the session laws of the year 1871, approved April 15, 1871.

Mr. Bartholomew moved to lay the motion to reconsider on the table.

Pending which, the hour for the special order having arrived

SPECIAL ORDER.

On motion of Mr. Warren,

The House went into committee of the whole on the special order,

Mr. Ackley in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 54, entitled

A bill to amend sections 7, 8, 9, 10, 30, 31, 38, 39, 42, 64, 70, and 95 and to repeal section 50 of an act entitled "An act for the re-organization of the military forces of the State of Michigan," approved January 18, 1862, being sections 834, 835, 836, 837, 857, 858, 865, 866, 869, 877, 891, 897 and 922, chapter 18 of the compiled laws of 1871, and to add new sections thereto;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein.

F. ACKLEY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Bartholomew,

The House concurred in the amendments made to the bill by the committee, and it was placed on the general order and referred to the committee of the whole.

Mr. Caplis moved that the House adjourn;

Pending which,

The Speaker announced as the special joint committee on the part of the House under the following resolution:

*Resolved by the Senate* (the House concurring), That the message of the Governor, relative to laying the corner-stone of the new Capitol building, be referred to a special joint com-



mittee consisting of three on the part of the Senate and five on the part of House ;

Messrs. Hoyt, Bartholomew, Walton, Cady, and Burns.

The Speaker also announced as the special joint committee on the part of the House under the following resolution :

*Resolved by the House of Representatives* (the Senate concurring), That the petition presented to the Legislature praying for the purchase of Stanley's picture of the "Trial of Red Jacket," be referred to a special joint committee, consisting of three on the part of the Senate and five on the part of the House,

Messrs. Gordon, Thomas, West, Hertzler, and Withington.

#### MESSAGES FROM THE GOVERNOR.

The Speaker, by unanimous consent, announced a special message from the Governor.

The following is the message :

EXECUTIVE OFFICE, }  
Lansing, February 12, 1873. }

*To the House of Representatives :*

At the time of the delivery of my inaugural message, the reports of the different penal institutions of the State were not completed, and I could not procure any statistics that would give me any information relative to them. Since then these reports have been prepared and laid before you, and I doubt not have received your careful consideration. The prevention, cure, and punishment of crime is a subject that demands the most careful attention not only of legislators, but of the whole people ; and the people, through the press, the legislative assembly, the pulpit, and the forum, are constantly giving more and more thought to it. Prison congresses are being held frequently in all civilized countries, devising methods of improvement in the treatment of crime.

From all these there is being evolved a better knowledge of the subject, and with this better knowledge, kindness is taking the place of brutality, cure of care, reformation of punishment.

The State penal institutions, consisting of the State Prison, Reform School, and Detroit House of Correction, had 1,238 inmates in 1872, 1,304 in 1871, 1,259 in 1870; showing a decrease in crime, or at least in convictions.

The Reform School receives all boys convicted of any crime between the ages of 10 and 16. The Detroit House of Correction is, virtually, an intermediate prison, receiving all women and a large proportion of the young men convicted of crime. The State Prison is the custodian of all other convicted persons, excepting those who, for slight offenses, are committed to the county jail. It would seem as though with these three institutions we should be able to classify and grade the inmates, separating old from young, new beginners from old offenders, the ignorant from the vicious criminal, and thus prevent the demoralization that prison life spreads like a pall over all who suffer for crime.

But with these opportunities we are doing little better than we did years ago. In the Reform School we find the lad of 10 the associate of the young man of 16, a quick scholar to learn vice from the ready reprobate who teaches it.

In the State Prison the young men of 16 to 20 are the associates of old offenders and hardened criminals. According to the reports of the prison, nine-tenths of the convicts received each year are sent for their first offense; but once within its walls, whether young or old, whether convicted of a slight or serious offense, whether the victim of intemperance or of inherited bad influences, or vicious from choice, all are put upon a level in treatment and condition. We would not treat the cattle on our farms in this manner. Our duty to these unfortunates and to ourselves compel us, at the earliest possible moment, to correct this.

The Detroit House of Correction, though belonging to the city of Detroit, is used by the State, as before mentioned, as an intermediate prison. It, too, has no opportunities for grading and classifying its male prisoners. For females it has, in the House of Shelter attached to it, the means of grading

its inmates into classes; separating them according to their capacities and conditions, their needs and merits. It is emphatically a home and nothing else. There are no locks or bars, no prison dress, or prison fare. The matron and the inmates live and eat together, study and work together; and no one visiting it would judge it a part of a prison from anything they would see therein. The House of Shelter is my ideal of what all prisons might be; not only for women and girls, but for men and boys—or rather it is my ideal of the plan upon which prisons should be erected and conducted.

It is much to be regretted that Mr. Z. R. Brockway, who has so long been the Superintendent of the House of Correction, has severed his connection with it, and with prison management. He has given the institution the deserved name of the model prison of the country. I have no doubt, however, that the authorities of the city of Detroit will see to it that it shall be kept upon the high plane of excellence it now occupies.

With the rapid growth of the State, it will soon become necessary that either some city in the western portion of the State should do as Detroit has done,—build a House of Correction and make suitable arrangements with the State for the use of a portion of it, or that the State build an intermediate prison or House of Correction. Were all the jails emptied of those who are under sentence in them (as they ought to be), it would be a necessity that this be done at once and without delay.

When the State has an intermediate prison, or the Detroit House of Correction the room to receive and take care of them, I earnestly hope that the confinement of any person in jail after conviction will be absolutely prohibited. I believe it almost as bad in its effects upon the criminal, and upon society, to confine a man in jail without labor as to turn him loose upon the streets. Jails are the nurseries of vice and the graduating school for the State Prison, and as expensive to maintain as a union school. We find fault with our school tax, and forget the burden that pauperism, vice, and crime, fed and

pampered as it is in our poor-houses, jails, and lock-ups, impose upon us.

Our first duty, however, it seems to me, is to rebuild and remodel the State Prison. To those of you who have visited it it must have told its own story of its needs. Built years ago it has been going to decay ever since. It is not necessary to detail its wants, for, excepting the wall and the shops, it is all wants. The inspectors are preparing an estimate of the cost of rebuilding, and I most earnestly commend to your favorable consideration the appropriation needful to enable them to carry out their plans. When the chapel is completed there will be room in which the prisoners may be educated and instructed; and I suggest that such legislation may be had as will make it obligatory upon the officers to furnish some means of education to all who may desire it. If there is a dreary spot upon the face of the earth it is inside the walls of Jackson prison. I know no reason why this is so, except it be that a general sort of neglect of prisons and their surroundings has become the rule. I hope that by your action the prisons of Michigan may be made an exception to this rule.

A rose-bush by the door, or a row of pinks by the path, might perchance find the tender spot of a heart that prayer and preaching have failed to reach.

The stripes in the dress, that no one knows why they are there, except that it is the fashion of prisons, should be abolished. In the cloth now being made for the use of the prison, the black stripe is much smaller than heretofore, and not distinguishable at a slight distance.

The deduction from the term of sentence for good conduct is a greater aid to the officers in the control and care of convicts than all the whips and revolvers in the world. Why not offer still more inducements and incentives to good conduct in the shape of rewards, such as giving the prisoner a portion of his earnings, etc? Power should be given the Board of Inspectors to let the labor of convicts in smaller quantities, and for a greater variety of industries. In so doing they could

be more easily classified, and would have an opportunity of learning trades, by which they could earn their living when they are discharged. As it is now, a very large proportion of them go out not knowing how to earn their daily bread. All persons who have made prison management and prison reform their study, agree in condemning the contract system as destructive to all efforts for reform, while others insist that convicts should not work at trades at all. It is difficult to substitute anything else for the contract system under State management, and to simply imprison men without labor would not only empty the Treasury, but would be the height of cruelty to the prisoner.

If you should decide to make the appropriations asked for, I am of the opinion that the management can be much improved, with a very large reduction in the expense of keepers, fuel, food, and general expenses.

- The Reform School is so near you that any description of its defects, the good it is accomplishing, its wants, etc.; is not necessary. I feel whenever I visit it that it lacks something, but I know not what it is. The Superintendent and teachers are faithful, earnest men, devoted to their work, and I believe improving in their work every day. I am impressed with the belief, however, that it is too much a prison and too little a home and school. It is undoubtedly true that there are many boys in the school who need the restraint of bolts and bars, but the controlling power ought to be that of love and kindness.

The cottages, one of which is occupied, and the other soon will be, are a step in the right direction. In these there are no signs of a prison, and I believe incalculable good will come from their kindly influence. I am of the opinion that there are many older boys confined there who should either be discharged or sent to the House of Correction. Their influence upon the younger and more impressible lads must be hurtful. If it was more of a home than it is, and these bad characters were out of it, there are many very young

boys growing up in our larger cities and towns who would be infinitely better off there than where they now are. I am also of the opinion that there has not been the proper effort in endeavoring to procure homes for these waifs. There can be little doubt that a good home, "be it ever so humble," is a better place for a boy than any penal institution.

The grounds and yards of the Reform School, like those of the Prison, have been sadly neglected. The Board propose to make up for past neglect in this regard, and have asked for an appropriation to enable them to plant trees, build walks, and paint the front building—all of which I commend to your favorable consideration.

The manner of committing children to the School, is in my judgment very defective. Vicious parents often send them that they may be out of the way, and their domestic expenses thereby decreased. Policemen arrest them in the streets for vagrancy, and they are "sent up" by the committing magistrate without any attempt to ascertain whether they deserve it or not, or whether it is the best that can be done with them. I earnestly urge upon you the propriety of adopting by legislation a similar plan to that in operation in the State of Massachusetts, in this regard. They have an agency called the "Visiting agency," one of whom, when any child under sixteen years of age in the State is arrested for any cause, at once proceeds to ascertain all the facts in the case; the history, surroundings, character, inherited tendencies, what sort of home and parentage the child has, etc., and upon the day of trial the visiting agent appears in court, not as defender or prosecutor, but as the friend and protector of the child, and as an aid to the magistrate in deciding what disposition shall be made of it. If the agent finds the child's home a proper place, and that its previous life will warrant it, he perhaps urges its being returned thereto; or if he finds it an unfit place, while the child itself may not be a criminal, he advises that it be sent to the State Public School; or if he finds it depraved and vicious, he advises its commitment

to the Reform School. At all events, the magistrate has before him as a guide, the whole history and surroundings of the child, and is able to decide intelligently what disposition to make of the case.

No child should ever be committed to a penal institution without this thorough searching investigation.

While our population is not so dense as Massachusetts, and our territory is very much larger, and there would seemingly be many obstacles in the way of carrying out such a plan, I believe that in a State that finds so many of its most active men willing to serve the State as inspectors and trustees of its varied institutions without reward, there are men and women in nearly every city and larger town who would undertake this humane work and do it well, asking no fee, except their necessary traveling expenses, when called upon. Is it not worth while to make the attempt?

While I believe that kindness should be the rule of treatment with convicts, and that the idea of reformation should take the place of that of punishment, I have no sympathy with, or belief in, the sentiment that a loose discipline in prison is kindness. As the surgeon applies the caustic and the knife, when other remedies fail, so I believe that restraint, firmness, and control are an absolute necessity to the cure of crime. When we remember that nine-tenths of those who are sent to prison go for the first offense, and that eight-tenths of those who come out never go back, it should teach us that it will not pay to crush out all the manhood in a man, though once a criminal. "No man can outlaw himself from God." Shall we by our treatment, undertake to outlaw him from himself or the world?

There should be in our legislation a radical change in the length of sentence of persons convicted of misdemeanors, vagrancy, drunkenness, and the like. Persons convicted under these charges are sentenced for too brief a period to do them any good, if that is the motive of the sentence, as it ought to be. Drunkenness and vagrancy are not primarily crimes

against society, and should not be treated as such. The drunkard and vagrant sins against himself (but if allowed to continue, soon becomes a criminal), and is put under restraint for his own benefit, and thereby the general good of society. If he needs restraint, it should be long enough to accomplish some slight reform, control his desire for stimulants, get him away from the debasing effects of vice, and build up in him some frame-work of manliness, self-respect, and self-control. Thirty, sixty, and ninety day sentences will not allow of this. Of 8,744 persons committed to the House of Correction, 1,092 were committed for the second time, 516 for the third, 285 for the fourth, 143 for the fifth, 85 for the sixth, 57 for the seventh, 30 for the eighth, 16 for the ninth, and so on down to 1 for the fourteenth time. And so the great procession moves on, into the prison and out,—each succeeding sentence taking more and more away from the unfortunate one the power to control his passions or depraved tastes.

Ought not this system to be changed, and some more rational one be adopted in its place?

If we are to effect a cure, should we not leave the patient long enough under the care of the physician to accomplish it?

The close connection of pauperism and crime, each feeding the other, leads me to speak briefly upon our treatment and care of paupers, or rather our neglect of all means to prevent and cure pauperism. With a population of nearly 3,000 in the poor-houses of the State, we drift along from year to year, feeding and clothing them, utterly neglecting any attempts at prevention or cure of the disease itself. I am of the opinion that some better plan than the present county system of poor-houses might be adopted. District poor-houses,—several counties combining together under one management, one farm, and one house, with facilities for work shops attached, would save a large expenditure for building and in yearly expenses. The subject is worthy of some attention and thought.

I commend to your attention the recommendations of the Board of Commissioners of Penal Institutions, relative to the



organization of a board which shall have general charge and oversight of the penal and reformatory institutions of the State. If you approve of the recommendation, would not the present board be the proper body to be clothed with this power?

“By the act authorizing the appointment of this Board, it was provided that in addition to the other duties contemplated, it should collect and thoroughly examine all the penal and criminal laws of the State, and report the same, with such revisions, amendments, and suggestions for the improvement thereof, as to the board might seem necessary and expedient.

“A work so important as this would undoubtedly involve the suggestion of many changes and amendments, and some additions to our criminal statutes; and to be of service when performed, would require a thorough investigation of the whole criminal legislation of the State, and an examination into the decisions of our courts relating thereto. Such investigation should also extend to the criminal laws of the other States, and especially to those from which we have drawn most largely for precedents in our legislation.

“And it will be observed at once, that a duty requiring so much research and careful labor would necessarily make large demands upon the time of those charged with its performance.

“Hence, in view of these facts, and that the Legislature has made no provision for any adequate compensation for the labor and services here referred to, the board have deemed proper to defer that part of the labor devolving upon it until the matter should be submitted to the Legislature for its further consideration.”

I believe this revision of the penal laws of the State is a pressing necessity, and so believing, I recommend such legislation as will provide the means necessary to accomplish it.

JOHN J. BAGLEY.

The message was referred to the committee on State Prison and Reform School, jointly.

The question being on the motion to adjourn,

Mr. Greusel demanded the yeas and nays.

The demand was seconded and the motion prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Bonine,  
Breitung,  
Buell,  
Cady,  
Caplis,  
Cobb,  
Cook,  
Dinturff,  
Fancher,  
Ferguson,

Mr. Fey,  
Goodrich,  
Gordon,  
Grant,  
Haire,  
Harris,  
Hewitt,  
Hoar,  
Howard,  
Hoyt,  
Knapp,  
E. R. Miller,  
Mitchell,  
Morse,

Mr. O'Dell,  
Priest,  
Ripley,  
Rose,  
Scott,  
Sessions,  
Speed,  
A. Walker,  
B. Walker,  
Walton,  
Warren,  
Withington,  
Speaker,

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#### NAYS.

Mr. Blackman,  
Briggs,  
Brunson,  
Carter,  
Chafey,  
Chamberlain,  
Curtis,  
Drew,  
Edwards,  
Garvelink,  
Garfield,  
Gilmore,

Mr. Green,  
Greusel,  
Kellogg,  
Lockwood,  
Markey,  
R. O. Miller,  
Noyes,  
Parsons,  
Pierce,  
Rich,  
Robinson,

Mr. Sanderson,  
Smith,  
Thomas,  
Van Aken,  
Van Scoy,  
F. Walker,  
J. Walker,  
L. Walker,  
Welch,  
West,  
Wheeler,

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*Lansing, Friday, February 14, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

Mr. Simpson asked and obtained leave of absence for himself until Tuesday next.

Mr. Howard asked and obtained leave of absence for himself until Wednesday next.

Mr. Thomas asked and obtained leave of absence for himself until Tuesday next.

Mr. Sanderson asked and obtained leave of absence for himself, after to-day, until Monday noon.

Mr. Van Aken asked and obtained leave of absence for Mr. Welker until Tuesday next.

Mr. Parsons asked and obtained leave of absence for himself until Tuesday next.

Mr. Goodrich asked and obtained leave of absence for himself until Tuesday next.

Mr. Lamb asked and obtained leave of absence for the committee on State Public School until Monday noon.

Mr. Carter asked and obtained leave of absence for himself until Monday noon.

Mr. Garvelink asked and obtained leave of absence for himself until Tuesday.

Mr. Chamberlain asked and obtained leave of absence for himself until Tuesday next.

Mr. Van Scoy, by unanimous consent, offered the following:  
*Resolved*, That when the House adjourn it be until Monday at 7 o'clock P. M.;

On the adoption of which,

Mr. Blackman demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Bailey,  
Bonine,  
Breitung,  
Brunson,  
Cady,  
Caplis,

Mr. Haire,  
Haywood,  
Hertzler,  
Hewitt,  
Howard,  
Hoyt,  
Kellogg,

Mr. Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,

Mr. Carter, Chamberlain, Cobb, Cook, Curtis, Dinturff, Drake, Drew, Edwards, Eggleston, Fancher, Ferguson, Garvelink, Gilmore, Goodrich, Grant,	Mr. Lamb, Lewis, Lockwood, Luce, Markey, R. O. Miller, Mitchell, Morse, Noyes, Parsons, Pierce, Rich, Ripley, Robinson, Rose, Sanderson,	Mr. Thompson, Van Aken, Van Scoy, A. Walker, B. Walker, L. Walker, Walton, Warren, C. W. Watkins, E. C. Watkins, Welch, Welker, Withington, Wixson, Zimmerman,
	NAYS.	68

Mr. Armstrong, Bartholomew, Blackman, Briggs, Buell, Chafey, Fey, Garfield, Gordon,	Mr. Green, Greusel, Harris, Hoar, Kipp, Knapp, E. R. Miller, O'Dell,	Mr. Priest, Robertson, Scott, F. Walker, J. Walker, West, Wheeler, Speaker,
		25

Mr. Eggleston asked and obtained leave of absence for the committee on the Grand Rapids and Indiana railroad, indefinitely, for the prosecution of their duties.

#### PRESENTATION OF PETITIONS.

By Mr. Blackman: Petition of A. J. Russell and 60 others, citizens of St. Johns, praying for amendments to the prohibitory liquor law.

Also: Petition of E. Chubback and 23 others, citizens of Manchester, for the same purpose ;

Referred to the committee on State affairs.

The following is the petition :

*To the Honorable the Senate and House of Representatives of the State of Michigan, in Legislature assembled :*

We, your petitioners, citizens and legal voters of the State of Michigan, respectfully petition your honorable body to

amend the law of this State, entitled "An act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage ;"

1. By including beer and other fermented liquors in the same inhibitions with distilled liquors.

2. By so amending section 4 of the law as to make signs, advertisements, and all other appliances for conducting the business *prima facie* evidence of being a common seller.

3. By providing for the appointment of a State constabulary, whose special duty it shall be to aid the local executive authorities in the thorough execution of the law.

4. By making women equally liable with men for any and all violations of the law.

And as in duty bound, your petitioners will ever pray.

By Mr. Eggleston : Petition of S. S. Bailey and 90 others, for the establishment of intermediate prisons ;

Referred to the committee on State Prison.

The following is the petition :

We, the undersigned citizens of the city of Grand Rapids, do hereby petition the Legislature of the State of Michigan to provide for one or more intermediate prisons in this State, and we do further petition that one of said intermediate prisons be located in the city of Grand Rapids.

By Mr. A. Walker : Petition of G. M. Hasty and 75 others, in favor of a bill to establish a State Board of Health ;

Referred to the committee on public health.

The following is the petition :

*To the Honorable the Legislature of the State of Michigan.*

*Whereas*, It is the universal testimony of those best qualified to form correct opinions on this subject, that hundreds and even thousands of persons in this State annually lose their lives, and that many others suffer severe losses in health, happiness, time, and money, from causes which might be removed, and these deaths and losses thus prevented, if the knowledge on this subject now possessed by the teachers of

hygiene could be brought to bear directly upon the ordinary affairs of life ;

*And whereas,* It is believed and understood that a sufficient number of prominent teachers, and others well skilled in the knowledge of public health, will undertake to accomplish this, and give their knowledge and services free towards preventing in some degree this great waste of human life and unnecessary suffering and expense, if only the means be placed at their disposal to render their efforts useful to the people ;

*And whereas,* There is now a bill before the Legislature entitled " A bill to establish a State Board of Health," etc., and which is designed to accomplish this desired end at an annual expense not to exceed the fraction of a cent to each individual in the State ; we, therefore, respectfully and earnest pray your honorable body that this bill or a similar one be made a law, and the right of the people of this State to " life, and the pursuit of happiness " be thus more perfectly guarantied. And your petitioners will ever pray, etc.

By Mr. Howard : Petition of W. T. Mitchell and 79 others, citizens and tax-payers of the city of Port Huron, asking for the passage of an act creating a board of public works for said city ;

Referred to the committee on municipal corporations.

By Mr. C. W. Watkins : Petition of S. W. Mankin, G. P. Baldwin, F. B. Watkins, and 100 others, asking the repeal of the law creating the office of county superintendent of public schools ;

Referred to the committee on education.

By Mr. Wixson : Remonstrance of H. Oldfield and 49 others, citizens of Sanilac county, against the repeal of the law creating the office of county superintendent of common schools ;

Also : Remonstrance of B. Miller and 31 others, for the same purpose ;

Also : Remonstrance of Thomas Gardner and 31 others, for the same purpose ;

Referred to the committee on education.

By Mr. Robertson: Remonstrance of James H. Hitchcox, John F. Stevens, Joseph Hartman, and 203 other citizens of Cass county, against the repeal of the law creating the office of county superintendent of common schools;

Referred to the committee on education.

Mr. Shaw, by unanimous consent, offered the following:

*Resolved*, That so much of Rule 45 of this House be suspended for the balance of this session as relates to notices for introduction of bills, except acts of incorporation;

Which was adopted.

#### REPORTS OF STANDING COMMITTEES.

By the committee on education:

The committee on education, to whom was referred

A bill to amend section 31 of chapter 136, being section 3611 of the compiled laws of 1871,

Respectfully report, that the section sought to be amended prescribes the punishment for disturbing school meetings, and also schools, to be the same as that for disturbing a religious assembly. Sections 1989, 7709, and 7715 of the compiled laws prescribe each a different penalty for disturbing religious assemblies. The amendment proposes to obviate this indefiniteness, and thus to remove the difficulty of procuring convictions for violations of the law. Your committee have therefore directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education:

The committee on education, to whom was referred

A bill to repeal section 13 of an act entitled "An act for the relief of school districts," approved February 7, 1855, being section 3725, chapter 136 of the compiled laws of 1871,

Respectfully report that the object of the bill is to protect other districts as against the districts organized under the law for graded and high schools, and that the repeal of this section would place all districts upon the same level in respect to changing their boundaries. The committee have therefore directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred

A bill to amend sections 6 and 15 of an act relative to the formation of mining companies, approved February 5, 1853, and section 6 of an act supplementary to the foregoing act, approved February 6, 1855, being sections 2841, 2850, 2870 of chapter 95 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

WILLIAM HARRIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hoar,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

A bill to amend an act entitled "An act to revise the laws



providing for the incorporation of railroad companies," approved April 18, 1871, by adding a new section thereto to stand as section 58 of said act ;

Respectfully report that they have had the same under consideration.

They find this bill to be a somewhat lengthy repetition of the provisions of section one of an act amendatory of the general railroad law, approved April 17, 1871 ; and are of the opinion that this section as it now stands is amply sufficient to meet the objects sought to be gained by this bill.

They are also of the opinion that the clause in this bill authorizing the fine collected from the railroad company for violation of any of its provisions to be paid to the party aggrieved, is contrary to the provisions of section 12 of article 13 of the constitution.

They have therefore directed me to report the same back to the House, without amendment, with the recommendation that it do not pass, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The bill was laid on the table.

By the committee on State affairs :

The committee on State affairs, to whom was referred

The petition of L. W. Von Hine and 108 others, for an increase of wolf bounty ;

The petition of Bartlet Johnson and 104 others, on the same subject ;

The petition of D. Scofield and 167 others, on the same subject ;

The petition of F. W. Hinds and 26 others, on the same subject ;

The petition of John A. Willard and 51 others, on the same subject ;

The petition of C. O. Ellsworth and 158 others, of Montcalm county, on the same subject;

Respectfully report that they have had the same under consideration.

We have a statute, the first section of which provides for a bounty of \$8 for killing a wolf over three months old, and \$4 for killing a wolf's whelp under the age of three months.

Subsequent sections provide for the payment of the bounty, one-half by the county within which the wolf is killed, and one-half by the State.

These petitioners ask that the bounty be raised to \$20. The reason assigned is, that most of the deer are in the northern central part of Michigan, where the snows come deep, and are easily taken and killed by wolves; and that wolves destroy more deer than all the hunters of the State.

The committee have no knowledge of the facts stated in the petitions, nor of any facts showing or indicating the necessity or policy of the proposed increase of bounty; and on inquiry of the gentlemen who presented the petitions to this House, they have not been so much enlightened on the subject as to be able to determine satisfactorily whether the proposed should be made or not.

The committee have therefore directed me to draft the accompanying bill:

A bill to amend section 1 of an act relative to the destruction of wolves and other noxious animals, being section 2116, chapter 67, of the compiled laws of 1871;

In accordance with the prayer of the petitioners, and report the same to the House with the petitions, without recommendation, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, and  
On motion of Mr. Lockwood,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill requiring the township of Springwells, in Wayne county, to pay for the paving of Fort street;

Respectfully report that they have had the same under consideration, and they think some manner of relief should be granted to the contractor for the improvement of Fort street, and whereas, we think there may be some legal objections in the bill, they have directed me to report the same back to the House without amendment, and without recommendation, and recommend that the bill be ordered printed, placed on the general order, and referred to the committee of the whole, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

Senate bill No. 42, entitled

A bill to incorporate a board of water commissioners for the city of East Saginaw, to supply the city with pure and wholesome water, and to provide for the completion and management of the East Saginaw water-works,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Van Scoy,

The House concurred in the amendments made to the bill by the committee.

On motion of Mr. Fey,

The rules were suspended, and the bill placed on the order of third reading.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to amend an act entitled "An act to amend an act to incorporate the city of Ann Arbor," approved March 23, 1867, and also an act amendatory thereto, approved March 18, 1871

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grant,

The rules were suspended and the bill was placed on the order of third reading.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to incorporate the village of Deerfield,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to amend section 1 of an act entitled "An act to incorporate the city of Niles," approved February 12, 1859, as amended by section 1 of an act entitled "An act to amend an act to incorporate the city of Niles, approved February 12, 1859," approved March 16, 1867,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A resolution of the common council of the city of Marshall relative to amendment of the charter of said city,

Also,

A bill to amend an act entitled "An act to incorporate the city of Marshall, approved February 14, 1859,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to legalize the action of the board of supervisors of

the county of Kent, authorizing the construction of a dam across Grand River at Grand Rapids, and to legalize a dam constructed at that point,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This bill simply legalizes the action of the board of supervisors of Kent county in 1853, in regard to which there is some doubt.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred House joint resolution No. 5, entitled

Joint resolution authorizing the issue of a patent to Parson King upon school land contract number one thousand eight hundred and eighty-three,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without recommendation, and ask to be discharged from the further consideration of the subject.

There is no doubt in the minds of the committee as to the rights of Parson King to the patent in question, but as a rule consider this kind of legislation unsafe.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shaw,

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on University and Normal School:

The committee on University and Normal School, to whom was referred

Senate bill No. 11, entitled

A bill to extend aid to the University of Michigan, and to repeal an act entitled "An act to extend aid to the University of Michigan," approved March 15th, 1867, being sections 3506 and 3507 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. F. THOMAS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

• By the committee on municipal corporations :

The committee on municipal corporations, to whom referred

A bill to amend section 2 of chapter 10, section 12 of chapter 12, and sections 2 and 6 of chapter 13 of act No. 452 of the session laws of 1869, being "An act to revise and amend an act entitled 'An act to revise the charter of the city of Port Huron,' " approved April 5, 1869 ;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. P. HOYT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to amend an act entitled "An act to incorporate the village of Manchester, approved March 16, 1867, as amended by act No. 248 of the session laws of 1871," approved March 25,

1871, by adding two new sections thereto, to stand as sections 28 and 29 of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. P. HOYT, *Acting Chairman.*

Report accepted and committee discharged.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following joint resolution:

House joint resolution No. 3, entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to procure an amendment to the pension law granting pensions to the surviving soldiers of the war of 1812, so as to entitle all of said soldiers to a pension irrespective of time of service;

S. H. BLACKMAN, *Chairman.*

Report accepted.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, February 13, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House manuscript bill entitled

A bill to amend sections 2, 12, and 27 of an act entitled "An act to incorporate the village of Paw Paw," approved March 28, 1867;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has



ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 13, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Chapin, in Saginaw county, and the levy of certain taxes thereon for the year 1872 ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and

On motion of Mr. Ackley,

The rules were suspended, and the bill was placed on the order of third reading.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 11, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following :

House manuscript bill, entitled

A bill to legalize the tax roll of the village of Vernon, in

the county of Shiawassee, for the year 1871, and to extend the time for the collection of the taxes therein ;

And to inform the House that the Senate has amended the same by inserting after the title, and preceding section 1, the following preamble: "Whereas, the collection of the village taxes of Vernon, Shiawassee county, for the year 1871, has been prevented by an injunction, which injunction is now dissolved ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Bailey moved that the House concur in the amendments made to the bill by the Senate ;

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Rose,
Armstrong,	Haire,	Sanderson,
Bailey,	Harris,	Scott,
Bartholomew,	Haywood,	Sessions.
Blackman,	Hertzler,	Shaw
Breitung,	Hewitt,	Smith,
Briggs,	Hoar,	Speed,
Brunson,	Howard,	Striker,
Buell,	Hoyt,	Thomas,
Cady,	Kellogg,	Thompson,
Carter,	Kipp,	Van Aken,
Chafey,	Knapp,	Van Scoy,
Chamberlain,	Lamb,	A. Walker,
Cook,	Lewis,	B. Walker,
Curtis,	Lockwood,	J. Walker,
Dinturff,	Luce,	L. Walker,
Drake,	Markey,	Walton,
Edwards,	E. R. Miller,	Warren,
Eggleston,	R. O. Miller,	O. W. Watkins,
Fancher,	Mitchell,	E. C. Watkins,
Ferguson,	Noyes,	Welch,
Fey,	O'Dell,	Welker,

Mr. Garfield, Garvelink, Gilmore, Goodrich, Gordon, Grant, Green,	Mr. Parsons, Pierce, Priest, Rich, Ripley, Robinson, Robertson,	Mr. West, Wheeler, Withington, Wixson, Zimmerman, Speaker,	
	NAYS.		86
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The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 13, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 43, entitled

A bill to legalize the tax roll of the township of Orange in the county of Ionia, for the year 1872, by striking therefrom all taxes assessed as drain taxes ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,

On motion of Mr. Kellogg,

The rules were suspended, and the bill was placed on the order of third reading.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 13, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

*Resolved by the House of Representatives (the Senate con-*

curing), That the petition presented to the Legislature praying for the purchase of Stanley's picture of the "Trial of Red Jacket," be referred to a special joint committee, consisting of three on the part of the Senate and five on the part of the House;

In the passage of which the Senate has concurred, and to inform the House that Senators Crosby, Clubb, and Goodell have been appointed such committee on the part of the Senate.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The message was laid on the table.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 13, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to transmit the following bill:

House bill No. 55, entitled

A bill to amend sections 9 and 27 of an act entitled "An act to incorporate the city of Alpena," approved March 29, 1871, being act number 249 of the session laws for the year 1871, and to add a new section to stand as section number 94;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following communication:

SENATE CHAMBER, }  
*Lansing, February 13, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 72, entitled

A bill to legalize the assessment rolls of the second and third wards of the city of Flint, in the county of Genesee, State of Michigan, for the year 1870, and to extend the time for the collection of the unpaid taxes levied therein;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,  
On motion of Mr. L. Walker,

The rules were suspended, and the bill was placed on the order of third reading.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 13, 1873.* }

SIR—I am instructed by the Senate to transmit the following bills:

Senate bill No. 46, entitled

A bill to authorize the Saginaw and Genesee plank road company to discontinue certain portions of their road;

Senate bill No. 51, entitled

A bill making an appropriation for the support of the State Agricultural College, to pay the arrearages for the same, to pay the expenses of the State Board of Agriculture, and for buildings and other improvements at the Agricultural College;

Senate bill No. 47, entitled

A bill to amend sections 2 and 6, and to repeal section 9 of an act entitled "An act to establish an Insurance Bureau," approved April 13, 1871, being sections 1674, 1678, and 1681, of the compiled laws of 1871;

Which have passed the Senate by a majority vote of all the

Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The second named bill was read a first and second time by its title, and referred to the committee on Agricultural College.

The third named bill was read a first and second time by its title, and referred to the committee on insurance.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing February 13, 1873.* }

*To the Speaker of the House of Representatives:*

SIB—I am instructed by the Senate to re-transmit the following bill:

Senate manuscript bill, entitled

A bill to incorporate the city of Ludington;

Which the House amended by striking off the last end of section 24, page 15, the following: "city of Ludington," and inserting in lieu thereof the following: "People of the State of Michigan, and all fines and penalties for violation of any ordinance or regulation of the common council shall belong to said city, and be paid into the city treasury;"

And to inform the House that the Senate has non-concurred in said amendment.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Hoyt moved that the House recede from its amendment;  
Which motion prevailed by yeas and nays as follows:

YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,

Mr. Green,  
Harris,  
Haywood,

Mr. Robertson,  
Robinson,  
Sanderson,

<b>Mr. Bartholomew,</b>	<b>Mr. Hertzler,</b>	<b>Mr. Scott,</b>
<b>Blackman,</b>	<b>Hewitt,</b>	<b>Sessions,</b>
<b>Breitung,</b>	<b>Hoar,</b>	<b>Shaw,</b>
<b>Briggs,</b>	<b>Howard,</b>	<b>Smith,</b>
<b>Brunson,</b>	<b>Hoyt,</b>	<b>Speed,</b>
<b>Buell,</b>	<b>Kellogg,</b>	<b>Striker,</b>
<b>Cady,</b>	<b>Kipp,</b>	<b>Thomas,</b>
<b>Caplis,</b>	<b>Knapp,</b>	<b>Thompson,</b>
<b>Carter,</b>	<b>Lamb,</b>	<b>Van Aken,</b>
<b>Chafey,</b>	<b>Lewis,</b>	<b>Van Scoy,</b>
<b>Cobb,</b>	<b>Lockwood,</b>	<b>A. Walker,</b>
<b>Cook,</b>	<b>Luce,</b>	<b>B. Walker,</b>
<b>Curtis,</b>	<b>Markey,</b>	<b>J. Walker,</b>
<b>Dinturff,</b>	<b>E. R. Miller,</b>	<b>Warren,</b>
<b>Drake,</b>	<b>R. C. Miller,</b>	<b>E. C. Watkins,</b>
<b>Fancher,</b>	<b>Mitchell,</b>	<b>Welch,</b>
<b>Ferguson,</b>	<b>Noyes,</b>	<b>Welker,</b>
<b>Fey,</b>	<b>O'Dell,</b>	<b>Wheeler,</b>
<b>Garfield,</b>	<b>Parsons,</b>	<b>Withington,</b>
<b>Garvelink,</b>	<b>Pierce,</b>	<b>Wixson,</b>
<b>Goodrich,</b>	<b>Priest,</b>	<b>Zimmerman,</b>
<b>Gordon,</b>	<b>Rich,</b>	<b>Speaker,</b>
<b>Grant,</b>	<b>Ripley,</b>	

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## NAYS.

<b>Mr. Chamberlain,</b>	<b>Mr. Greusel,</b>	<b>Mr. L. Walker,</b>
<b>Edwards,</b>	<b>Haire,</b>	<b>Walton,</b>
<b>Eggleston,</b>	<b>Rose,</b>	<b>West,</b>

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## INTRODUCTION OF BILLS.

Mr. Lewis, unanimous consent being given, introduced

A bill to authorize the Bay City and Salzbury Bridge Company to issue bonds to aid in the construction of said bridge company's bridge.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. C. W. Watkins, previous notice having been given and leave being granted, introduced

A bill to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties, and to repeal chapter 97 of the compiled laws of 1871, and also act number 94 of the session laws of 1871, approved April 12, 1871.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. F. Walker, previous notice having been given and leave being granted, introduced

A bill to compel all railroads in the State of Michigan to use the patent air brake on all passenger trains run in this State.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Speed, previous notice having been given and leave being granted, introduced

A bill to amend sections 1 and 2 of an act entitled "An act to authorize the formation of gas-light companies," approved February 12, 1855, and to add a new section thereto to stand as section 14.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. Greusel, previous notice having been given and leave being granted, introduced

A bill to amend section 12 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being chapter 139 of the compiled laws of 1871, paragraph 7444, to regulate the duties and compensation of coroners in Wayne county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Fancher, previous notice having been given and leave being granted, introduced

A bill to amend chapter 43 of the compiled laws of 1871, being an act to protect the title of the owners of floating logs and lumber, by adding a new section thereto, to stand as section 7 of said act.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Sanderson, previous notice having been given and leave being granted, introduced



A bill to amend section 1 of chapter 49, being section 1801 of the compiled laws of 1871, relative to the support of poor persons by their relatives.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Withington, previous notice having been given and leave being granted, introduced

A bill to amend section 1 of "An act to create a soldiers' aid fund for disabled Michigan soldiers, sailors, and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States," the same being section 960, chapter 20 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Blackman, previous notice having been given and leave being granted, introduced

A bill to amend section 23 of chapter 239, being section 7451 of the compiled laws of 1871, relative to fees in the office of the Secretary of State.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Blackman, previous notice having been given and leave being granted, introduced

A bill to amend section 1 of an act entitled "An act to incorporate the village of Paw Paw," approved March 28, 1867, by adding more territory to said village.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Shaw, unanimous consent being given, introduced

A bill to amend section 7435, chapter 139 of the compiled laws of 1871 relative to the salary of judges of probate.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Shaw, unanimous consent being given, introduced

A bill to authorize attorneys and counselors at law of this State to administer oaths and take acknowledgments of deeds.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Shaw, unanimous consent being given, introduced

A bill to provide for the appraisal and sale of the balance of section 16, in town 2 north, of range 3 west, in the county of Eaton.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Shaw, unanimous consent being given, introduced

A bill fixing the price of gas made by gas-light companies, and determining the quality thereof.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. Shaw, unanimous consent having been given, introduced

A bill to amend section 4269 of the compiled laws of 1871, in relation to the estates of dower.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Shaw, unanimous consent being given, introduced

A bill to amend section 5464 of the compiled laws of 1871, being section 216 of chapter 178 of said compiled laws, relative to justice courts.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Bartholomew, unanimous consent being given introduced

A bill to amend sections 810, 812, and 814 compiled laws of 1871, being sections 1, 3, and 5 of the law for the registration of births, marriages and deaths, and to add a new section to said act to stand as section 12.

The bill was read a first and second time by its title, and referred to the committee on public health.

Mr. Rose, unanimous consent being given, introduced

A bill to organize the county of Watkins.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Welch, unanimous consent being given, introduced

A bill to amend an act entitled "An act to provide for the inspection of illuminating oils from petroleum or coal oil," and amendments thereto, approved April 3, 1869.

The bill was read a first and second time by its title, and referred to the committee on public health.

Mr. F. Walker, unanimous consent being given, introduced

A bill to examine the management and conduct of the Grand Rapids and Indiana Railroad.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Greusel, unanimous consent being given, introduced

A bill to change the name of the first German Protestant St. John's church of Detroit, and to legalize certain acts and proceedings thereof, and to confirm the title to certain lands held by them.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Chamberlain, unanimous consent being given, introduced

A bill to amend section 106 of chapter 10 of the compiled laws of 1871, being an act entitled "An act prescribing the duties of county officers, and regulating the pay of the same.

The bill was read a first and second time by its title and referred to the committee on towns and counties.

Mr. F. Walker, unanimous consent being given, introduced

A bill to compel the Grand Rapids and Indiana Railroad to furnish suitable and sufficient means to speedily and safely forward freight on the line of their road.

The bill was read a first and second time by its title, and referred to the special committee on the Grand Rapids and Indiana Railroad.

Mr. Howard, unanimous consent being given, introduced

A bill to authorize a board of public works in aid of the city of Port Huron.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Bailey, unimous consent being given, introduced

A bill to amend the law relative to highways, bridges, private roads, overseers and commissioners of highways, and all that appertains thereto; the same being sections 647, 649, 695, 728, 729, 730, 731, 732, 733, 734, 735, 752, 753, 754, 755, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1278, 1753, 1758, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, and 2587, of the compiled laws of 1871; also to amend chapter 23, 24, 25, 27, 28, 31, and 68, of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Grant, unanimous consent being given, introduced

A bill to provide for special appeals from decrees in chancery.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Grant, unanimous consent being given, introduced

A bill to provide for appeals to the Supreme Court in certain cases.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Blackman, unanimous consent being given, introduced

A bill to amend section 45 of chapter 192, being section 6119 of the compiled laws of 1871, relative to judgments and executions.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Eggleston, unanimous consent being given, introduced

A bill to legalize certain conveyances made by the Methodist Episcopal Church of Grand Rapids.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Eggleston, unanimous consent being given, introduced  
A bill to change the name of the First Methodist Episcopal Church of Grand Rapids.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies

Mr. Ferguson, unanimous consent being given, introduced  
A bill to organize the township of Manitou in the county of Manitou.

The bill was read a first and second time by its title and referred to the committee on towns and counties.

Mr. F. Walker, unanimous consent being given, introduced  
A bill to regulate the freight rate on all railroads in this State.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Shaw, unanimous consent being given, introduced  
A bill to amend section 5246 of the compiled laws of 1871, being an act entitled "An act to authorize judges of probate of certain counties to appoint a register, and prescribing his duties and compensation.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Shaw, unanimous consent being given, introduced  
A bill to amend section 7436 of the compiled laws of 1871, being an act entitled "An act to provide for the salary of probate judges."

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Buell, by unanimous consent, offered the following:

*Resolved*, That the joint resolution requesting Congress to authorize the bridging of Detroit river be taken from the special order of to-day and made the special order for Tuesday, February 25th, at 2 o'clock P. M.;

Which was adopted.

Mr. Garvelink, by unanimous consent, offered the following:

WHEREAS, The city of Detroit, the metropolis and leading city of this State, has called upon this Legislature to empower the park commissioners to locate a park, and the common council to levy a tax, or loan money and issue bonds, for the erection of said park; therefore,

*Resolved*, By this House of Representatives, that we sincerely hope and request that this example will not be followed by the rest of the cities and villages of our beloved State,—that the Legislature may not be called upon again to perform a so painful duty, to take away the ballot, of which an American citizen alone may be proud of.

On motion of Mr. Hoyt,

The resolution was laid on the table.

#### THIRD READING OF BILLS.

Senate bill No. 42, entitled

A bill to incorporate a board of water commissioners for the city of East Saginaw, to supply the city with pure and wholesome water, and to provide for the completion and management of the East Saginaw water-works,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Robinson,
Armstrong,	Harris,	Robertson,
Bailey,	Haywood,	Sanderson,
Bartholomew,	Hertzler,	Sessions,
Breitung,	Hewitt,	Shaw,
Briggs,	Hoar,	Smith,
Brunson,	Howard,	Speed,
Cady,	Hoyt,	Striker,
Caplis,	Kellogg,	Thompson,
Carter,	Kipp,	Van Scoy,
Chafey,	Lamb,	A. Walker,
Cobb,	Lewis,	B. Walker,
Cook,	Luce,	F. Walker,
Dinturff,	Markey,	J. Walker,
Drake,	R. C. Miller,	L. Walker,
Fancher,	Mitchell,	Warren,

Mr. Ferguson, Fey, Goodrich, Gordon, Grant, Green, Greusel,	Mr. Noyes, O'Dell, Parsons, Pierce, Priest, Rich, Ripley,	Mr. E. C. Watkins, West, Withington, Wixson, Zimmerman, Speaker,	68
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NAYS.

Mr. Chamberlain, Curtis, Garfield,	Mr. Garvelink, Gilmore, Van Aken,	Mr. Walton, Welch, Welker,	9
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The question being on agreeing to the title,

Mr. Lewis moved to amend the title by striking out the words "pure and wholesome ;"

Which motion did not prevail.

The title was then agreed to.

On motion of Mr. Ripley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Greusel,

The House took a recess until 2 o'clock this afternoon.

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#### AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

The House resumed the order of

#### THIRD READING OF BILLS.

On motion of Mr. Fey,

The rule requiring the second and third reading of bills to be on different days was suspended, and the bills on the order of third reading were put on their immediate passage.

Senate manuscript bill, entitled

A bill to legalize the tax roll of the township of Chapin, in Saginaw county, and the levy of certain taxes thereon for the year 1872,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Robertson,
Armstrong,	Haire,	Rose,
Bartholomew,	Haywood,	Sanderson,
Blackman,	Hertzler,	Scott,
Briggs,	Hewitt,	Sessions,
Brunson,	Hoar,	Shaw,
Buell,	Howard,	Smith,
Cady,	Hoyt,	Speed,
Caplis,	Kellogg,	Striker,
Carter,	Kipp,	Thompson,
Chafey,	Knapp,	Van Scoy,
Chamberlain,	Lewis,	A. Walker,
Cobb,	Lockwood,	B. Walker,
Cook,	Markey,	F. Walker,
Curtis,	E. R. Miller,	J. Walker,
Dinturff,	R. C. Miller,	L. Walker,
Edwards,	Mitchell,	Walton,
Eggleston,	Noyes,	Warren,
Fancher,	O'Dell,	E. C. Watkins,
Ferguson,	Parsons,	Welker,
Fey,	Pierce,	West,
Garfield,	Priest,	Wheeler,
Garvelink,	Rich,	Withington,
Gilmore,	Ripley,	Wixson,
Gordon,	Robinson,	Speaker,
Green,		

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0

## NAYS.

Title agreed to.

On motion of Ackley,

By a two-thirds vote of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 43, entitled

A bill to legalize the tax roll of the township of Orange, in the county of Ionia, for the year one thousand eight hundred and seventy-two, by striking therefrom all taxes assessed as drain taxes,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :



## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. Parsons,
Armstrong,	Goodrich,	Pierce,
Bailey,	Gordon,	Priest,
Breitung,	Grant,	Rich,
Briggs,	Green,	Ripley,
Brunson,	Greusel,	Robinson,
Buell,	Harris,	Robertson,
Cady,	Haywood,	Rose,
Caplis,	Hewitt,	Scott,
Carter,	Hoar,	Sessions,
Chafey,	Howard,	Smith,
Chamberlain,	Hoyt,	Speed,
Cobb,	Kellogg,	Striker,
Cook,	Kipp,	Thompson,
Curtis,	Knapp,	Van Scoy,
Dinturff,	Lewis,	B. Walker,
Edwards,	Lockwood,	F. Walker,
Eggleston,	Markey,	L. Walker,
Fancher,	E. R. Miller,	Walton,
Ferguson,	R. C. Miller,	E. C. Watkins,
Fey,	Mitchell,	Wixson,
Garfield,	Noyes,	Speaker,
Garvelink,	O'Dell,	68

## NAYS.

Mr. Bartholomew,	Mr. Sanderson,	Mr. Welker,
Blackman,	Shaw,	West,
Drake,	A. Walker,	Wheeler,
Haire,	J. Walker,	Withington,
Hertzler,	Warren,	Zimmerman,
Luce,	Welch,	17

Preamble and title agreed to.

On motion of Mr. Kellogg,

By a two-thirds vote of all the members elect, the bill was ordered to take immediate effect.

Mr. Lewis moved to reconsider the vote by which the House passed the bill.

Mr. Goodrich moved to lay the motion to reconsider the vote on the table ;

Which motion prevailed.

Senate bill No. 72, entitled

A bill to legalize the assessment rolls of the second and

third wards of the city of Flint, in the county of Genesee, State of Michigan, for the year 1870, and to extend the time for the collection of the unpaid taxes levied therein.

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rose,	
Armstrong,	Greusel,	Sanderson,	
Bailey,	Haire,	Scott,	
Bartholomew,	Harris,	Sessions,	
Blackman,	Haywood,	Shaw,	
Breitung,	Hertzler,	Smith,	
Briggs,	Hewitt,	Speed,	
Brunson,	Hoar,	Striker,	
Cady,	Howard,	Thompson,	
Caplis,	Hoyt,	Van Aken,	
Carter,	Kellogg,	Van Scoy,	
Chasey,	Kipp,	A. Walker,	
Chamberlain,	Knapp,	B. Walker,	
Cobb,	Lewis,	F. Walker,	
Cook,	Lockwood,	J. Walker,	
Curtis,	Luce,	L. Walker,	
Dinturff,	Markey,	Walton,	
Drake,	E. R. Miller,	Warren,	
Eggleston,	R. C. Miller,	E. C. Watkins,	
Fancher,	Mitchell,	Welch,	
Ferguson,	Noyes,	Welker,	
Fey,	O'Dell,	West,	
Garfield,	Parsons,	Wheeler,	
Garvelink,	Pierce,	Withington,	
Gilmore,	Priest,	Wixson,	
Goodrich,	Rich,	Zimmerman,	
Gordon,	Robinson,	Speaker,	83
Grant,	Robertson,		
	NAYS.		0

Title agreed to.

On motion of Mr. L. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House manuscript bill, entitled

A bill to amend an act entitled "An act to amend an act to incorporate the city of Ann Arbor," approved March 23,

1867, and also an act amendatory thereto, approved March 18, 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Robertson,
Armstrong,	Greusel,	Rose,
Bailey,	Haire,	Sanderson,
Bartholomew,	Harris,	Scott,
Blackman,	Haywood,	Sessions,
Breitung,	Hertzler,	Smith,
Briggs,	Hewitt,	Speed,
Brunson,	Hoar,	Striker,
Cady,	Howard,	Thompson,
Caplis,	Hoyt,	Van Aken,
Carter,	Kipp,	Van Scoy,
Chafey,	Knapp,	A. Walker,
Chamberlain,	Lewis,	B. Walker,
Cobb,	Lockwood,	F. Walker,
Cook,	Luce,	J. Walker,
Curtis,	Markey,	L. Walker,
Dinturff,	E. R. Miller,	Walton,
Eggleston,	R. U. Miller,	Warren,
Fancher,	Mitchell,	E. C. Watkins,
Ferguson,	Noyes,	Welch,
Fey,	O'Dell,	Welker,
Garfield,	Parsons,	West,
Garvelink,	Pierce,	Wheeler,
Gilmore,	Priest,	Withington,
Goodrich,	Rich,	Wixson,
Gordon,	Ripley,	Zimmerman,
Grant,	Robinson,	Speaker, 81
	NAYS.	0

Title agreed to.

On motion of Mr. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The committee on roads and bridges, by unanimous consent, reported as follows:

The committee on roads and bridges, to whom was referred

A bill authorizing the Bay City and Salzbury Bridge Com-

pany to issue bonds to aid in the construction of said Bridge Company's bridge,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The reason for this bill is to raise money on the bonds.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bill :

House manuscript bill, entitled

A bill to legalize the tax roll of the village of Vernon, in the county of Shiawassee, for the year 1871, and to extend the time for the collection of the taxes therein.

S. H. BLACKMAN, *Chairman.*

Report accepted.

#### MOTIONS AND RESOLUTIONS.

Mr. Noyes offered the following :

*Resolved*, That the members of this House hail with feelings of the highest satisfaction the action of the Spanish Cortes in proclaiming a Republic, and their prompt action in electing Senor E. Martos President of the Assembly ; and believing, as we do, in the principles of republican government, we hereby congratulate Spain on the step she has taken ;

Which was adopted.

Mr. Shaw offered the following :

*Resolved*, That the Clerk of this House be instructed to obtain, forthwith, from the clerks of the respective counties in the 2d, 3d, 4th, 5th, 6th, 8th, 14th, 15th, and 17th judicial

circuits, the number of days in which the circuit courts have been in session, and the number of cases commenced at law, or in chancery, or brought up by appeal in their respective counties during the years 1871 and 1872 ; .

Which was adopted.

Mr. F. Walker offered the following :

*Resolved*, That one hundred dollars be appropriated to the use of the committee established by this House to examine into the conduct and management of the Grand Rapids & Indiana Railroad, for the purpose of paying witnesses, stenographer, and such other expenses as may occur.

Mr. Hoyt offered the following substitute for the resolution :

*Resolved*, That the special committee on the Grand Rapids & Indiana Railroad be authorized to employ a stenographer ;  
Which was not agreed to.

The resolution was then not adopted.

Mr. Grant offered the following :

*Resolved*, That the engrossing and enrolling clerk be and he is hereby authorized to employ a second assistant engrossing and enrolling clerk.

On motion of Mr. Warren,

The resolution was laid on the table.

Mr. Kellogg, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A bill to amend section 8 of an act entitled "An act to incorporate the village of Saranac in Ionia county," approved March 4, 1869, being act No. 246 of the session laws of 1869.

Mr. Bailey, by unanimous consent, gave notice that on some future day he would ask leave to introduce

A bill to amend section 1, article 10, section 5, article 13, and section 1, article 14, act No. 233, being an act to incorporate the village of Vernon, approved March 18, 1871.

Mr. Fancher, unanimous consent being given, gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Midland City.

Mr. Armstrong moved to take from the table  
Senate bill No. 16, entitled

A bill to provide for the construction of a State road in the  
county of Newaygo;

Which motion prevailed.

On motion of Mr. Armstrong,

The bill was then referred to the committee of the whole,  
and placed on the general order.

Mr. Eggleston moved to discharge the committee of the  
whole from the further consideration of Senate bill No. 31,  
entitled

A bill to amend section fourteen of chapter eighty-eight of  
the compiled laws of 1871, entitled "An act to authorize the  
formation of corporations for the running, booming, and  
rafting of logs;"

Which motion prevailed.

On motion of Mr. Eggleston,

The bill was re-committed to the committee on lumber and  
salt interests.

The committee on municipal corporations, by unanimous  
consent, reported as follows:

The committee on municipal corporations, to whom was  
referred

A bill to amend an act to incorporate the city of Marquette,  
being act No. 202 of session laws of 1871, approved February  
27, 1871,

Respectfully report that they have had the same under con-  
sideration, and have directed me to report the same back to  
the House, without amendment, and recommend that it do  
pass, and ask to be discharged from the further consideration  
of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of  
the whole, and placed on the general order.

By the committee on municipal corporations:

• The committee on municipal corporations, to whom was referred

A bill to amend section 20 of act No. 496 of the laws of 1867, entitled "An act to revise and amend the charter of the city of Saginaw," approved February 5th, 1869;" approved March 27th, 1867, as amended by act No. 224 of the laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend sections 4, 48, and 61, of act No. 459 of the session laws of 1869, being an act to incorporate the city of Big Rapids, and section 32 of act No. 241 of the session laws of 1871, amendatory thereof;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. P. HOYT, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The committee on judiciary, by unanimous consent, reported as follows:

The committee on judiciary, to whom was referred

Senate manuscript bill, entitled

A bill to organize the 13th and 14th judicial circuits, and to create the 19th judicial circuit;

Respectfully report that they have had the same under consideration, and a majority of said committee have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This is recommended for the reason that there is so much travel connected with the other labors, that the interests of the 13th and 14th judicial circuits demand it.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Van Scoy asked and obtained leave of absence for himself, indefinitely.

Mr. Cady asked and obtained leave of absence for himself until Monday, the 24th inst.

Mr. Hoyt asked and obtained leave of absence for the special committee on the Grand Rapids & Indiana Railroad, indefinitely.

The Speaker announced as the special committee under the following resolution:

*Resolved*, That a committee of three be appointed, whose duty it shall be to examine into and report to this House, whether, in their opinion, the Legislature has the right to repeal the general law of 1871, exempting railroad lands from taxation; whether, in case of such repeal, all railroad lands which had been earned by railroad companies prior to the passage of the act of 1871 are not subject to immediate taxation; and the committee be instructed to report further, whether, in their opinion the constitutional power vests in the Legislature to exempt the granted lands of railroad companies from taxation, and if such power does exist, to report upon the



expediency of exempting from taxation the lands of actual settlers within the limits of railroad grants,

Messrs. Buell, L. Walker, and Eggleston.

Mr. E. C. Watkins, unanimous consent being given, introduced

A bill to regulate freights on railroads.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Fancher, unanimous consent being given, introduced

Joint resolution releasing all claim of the State to the west half of the southeast quarter and the northeast quarter of the southwest quarter of section 15 in township fourteen north, of range four west.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Breitung, unanimous consent being given, introduced

A bill to regulate the transportation of nitro-glycerine and other explosive substances.

The bill was read a first and second time by its title, and referred to the committee on public health.

Mr. Harris, unanimous consent being given, introduced

A bill to relieve mining corporations and their officers in the Upper Peninsula, who have failed to make the reports and returns required by law.

The bill was read a first and second time by its title, and referred to the committee on mines and minerals.

Mr. E. R. Miller, unanimous consent being given, introduced

A bill to regulate the catching of fish in certain of the waters of this State.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

#### GENERAL ORDER.

On motion of Mr. Grant,

The House went into committee of the whole on the general order,

Mr. Lockwood in the chair.

After some time spent therein the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

House joint resolution No. 5, entitled

Joint resolution authorizing the issue of a patent to Parson King upon school land certificate numbered one thousand eight hundred and eighty-three;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bill:

1. House bill No. 73, entitled

A bill to authorize the "Grand Rapids Orphan Asylum" to convey and transfer its property and concerns to the "Union Benevolent Association," of Grand Rapids;

2. House bill No. 75, entitled

A bill to amend section 10 of act No. 406 of the session laws of 1869, being an act appropriating non-resident highway taxes in the county of Sanilac for the construction of a certain ditch in said county of Sanilac;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill:

3. House bill No. 76, entitled

A bill to amend section 97 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1063 of chapter 21 of the compiled laws of 1871;

Have made no amendment thereto, and have directed

their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

J. K. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. E. R. Miller,

The House concurred in the amendments made to the first and second named bills by the committee, and they were placed on the order of third reading.

The joint resolution and last mentioned bill were placed on the order of third reading.

Mr. Bartholomew offered the following:

*Resolved*, That the Sergeant-at-Arms of this House be authorized to make such changes and improvements in the ventilation of this Hall as may appear to be necessary to secure a better supply of pure air therein, provided the expenditure shall not exceed twenty-five dollars;

Which was adopted.

Mr. Bartholomew offered the following:

*Resolved*, That the committee to investigate the affairs of the Grand Rapids & Indiana Railroad be authorized to employ a reporter ;

Which was adopted.

On motion of Mr. Bartholomew,

The House adjourned.

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*Lansing, Monday, February 17, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Absent without leave: Messrs. Ackley, Bailey, Bottomley, Caplis, Fey, Hoar, Kellogg, Lewis, E. R. Miller, R. C. Miller, Noyes, Ripley, Sessions, Smith, Speed, and Zimmerman.

Mr. Harris asked and obtained leave leave of absence for Mr. Hoar for the evening.

Mr. Curtis asked and obtained leave of absence for Mr. Sessions for the evening.

Mr. Ferguson asked and obtained leave of absence for Mr. R. C. Miller for the evening.

Mr. Knapp asked and obtained leave of absence for Mr. Zimmerman until Tuesday.

Mr. Buell asked and obtained leave of absence for Mr. Speed for the evening.

Mr. Walton asked and obtained leave of absence for Mr. Smith until Tuesday.

Mr. Welker asked and obtained leave of absence for Mr. Ripley for the evening.

Mr. Cook asked and obtained leave of absence for Mr. Noyes until Tuesday.

Mr. Bartholomew asked and obtained leave of absence for Mr. E. R. Miller for the evening.

Mr. Welch asked and obtained leave of absence for Mr. Lewis for the evening.

Mr. Cook asked and obtained leave of absence for Mr. Fey for the evening.

Mr. Gordon asked and obtained leave of absence for Mr. Caplis for the evening.

Mr. Buell asked and obtained leave of absence for Mr. Bottomley for the evening.

Mr. Fancher asked and obtained leave of absence for Mr. Bailey for the evening.

Mr. Cook asked and obtained leave of absence for Mr. Ackley for the evening.

#### PRESENTATION OF PETITIONS.

By Mr. Wheeler: Petition of J. R. Griswold, C. P. Collier, and 160 others, of the city of Oceana, relative to raising the bounty on wolves to twenty dollars ;

Referred to the committee on State affairs.

By Mr. Wheeler: Petition of F. J. Russell, Harvey Sayles, and 68 others, of the county of Oceana, for the repeal of the law creating the office of county superintendent of schools ;

Referred to the committee on education.

By Mr. Priest: Petition of R. G. Baird and 470 others, of Macomb county, asking for a law providing for a county uniformity of text books in public schools;

Referred to the committee on education.

Also, by the same: Remonstrance of R. G. Baird and 37 others, of Macomb county, against the repeal of the law creating the office of county superintendent;

Referred to the committee on education.

By Mr. Buell: Petition of J. F. Oliver and 47 others, of Delta county, relative to the construction of a State road in the counties of Delta, Menominee, and Marquette ;

Referred to the committee on roads and bridges.

By Mr. Haywood: Petition of C. S. McKee and 28 others for the disorganization of the township of White Rock and attaching the same to the township of Sherman, Huron county ;

Also by the same: Remonstrance of M. Hauselman and 70 others against the disorganization of the township of White Rock and attaching the same to the township of Sherman ;

Referred to the committee on towns and counties.

By Mr. Eggleston: Petition of Peter O. Voorheis and 44 others to provide for the erection of an intermediate prison ;

Referred to the committee on State Prison.

By Mr. Scott: Petition of C. F. Howe and 28 others, citizens of Berrien county, for more adequate protection from losses by railroad fires ;

Also : Petition of C. E. Gillet, David Rough, and 116 others, citizens of Berrien county, for the same purpose ;

Referred to the committee on railroads.

By Mr. Rose: Petition of John Samis and 37 others, citizens of Lake county, praying for taxation of railroad lands ;

Also : Petition of R. E. Bigbee and 90 others, for the same purpose ;

Also: Petition of B. E. Westfall, J. W. Ash and 100 others, citizens of Osceola county, for the same purpose ;

Referred to the special committee on railroads and the committee on railroads jointly.

By Mr. Eggleston : Petition of the Kent county bar for the organization of a recorder's court in the city of Grand Rapids ;  
Referred to the committee on judiciary.

#### NOTICES.

Mr. Caplis gave notice that on some future day he would ask leave to introduce

A bill to detach certain territory from the township of Hamtramck and Springwells, and annex the same to the city of Detroit.

Mr. Burns gave notice that on some future day he would ask leave to introduce

A bill to revise the charter of the city of Detroit.

#### INTRODUCTION OF BILLS.

Mr. Burns, unanimous consent being given, introduced

A bill to amend sections 6 and 7 of act number 188 of the session laws of 1857, entitled " An act to provide for the incorporation of mechanics' associations," approved February 17, 1857, which being sections 2800 and 2801 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. Knapp, unanimous consent being given, introduced

A bill to incorporate the village of South Lyon.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Fancher, unanimous consent being given, introduced

A bill requiring the Auditor General to procure and transmit to the county treasurers' lists of railroad lands for the purpose of taxation.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Cobb, unanimous consent being given, introduced  
A bill to incorporate the city of Kalamazoo.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Fancher, unanimous consent being given, introduced  
A bill limiting the authority of the Auditor General in the cancellation of taxes on railroad lands.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. A. Walker, unanimous consent being given, introduced  
A bill to amend section one of an act entitled "An act to incorporate the village of Leslie."

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Gilmore, unanimous consent being given, introduced  
A bill to amend section 39 of chapter 245, being section 7590 of the compiled laws of 1871, relative to offenses against property.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Eggleston, unanimous consent being given, introduced  
A bill to amend section 23 of chapter 120, being section 3396 of the compiled laws of 1871, relating to burying-grounds.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Eggleston, unanimous consent being given, introduced  
A bill to amend section 4 of an act entitled "An act to confirm deeds and instruments intended for the conveyance of real estate in certain cases, being section 4253 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Rose, unanimous consent being given, introduced  
A bill to provide for the construction of a State road in the county of Mecosta, to be called and known as the Millbrook and Altona State road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Buell, unanimous consent being given, introduced

A bill to provide for laying out and constructing a State road in the counties of Delta, Menominee, and Marquette.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Gilmore, unanimous consent being given, introduced

A bill to incorporate the village of Blissfield.

The bill was read a first and second time by its title, and

On motion of Mr. Gilmore,

The bill was laid on the table.

On motion of Mr. Eggleston,

The order of "Third reading of bills" was passed over.

#### MOTIONS AND RESOLUTIONS.

Mr. Lamb offered the following :

*Resolved*, That members in introducing bills shall send to the clerk's desk, accompanying their bills, the titles of the same, written in full, on a separate piece of paper ;

Which was adopted.

Mr. Grant, by unanimous consent, presented the petition of C. P. Reynold and 96 others, citizens of Alcona county, remonstrating against the passage of certain bills providing for laying out and establishing certain State roads in said county ;

Referred to the committee on roads and bridges.

The following is the remonstrance:

*To the Senate and House of Representatives of the State of Michigan :*

We, the undersigned citizens and tax payers of the county of Alcona, do petition your honorable body that you do not pass any bill for the laying out, establishing, and constructing a State road in the county of Alcona, to be known as the Pine River State road, nor by any other name. We also petition your honorable body that you do not pass any bill to amend (unless it be to repeal) an act entitled "An act to provide for



the laying out, establishing, and constructing a State road in the county of Alcona, and appropriate certain non-resident highway taxes to aid in the construction of the same," being act No. 404 of the session laws of 1869. And we respectfully call your attention to the following, as some of the reasons which, in our judgment, should be sufficient to defeat all such bills: *First*, These State roads are designed only for the benefit of a few non-resident lumbermen, relieving them from the expense of private road-building for purely private and personal purposes, and are an unjust discrimination against hundreds of others, both resident and non-resident lumbermen, who are yearly paying taxes the same as those who are benefited by these roads, and are also building with their private and personal means, roads to be used by them in the prosecution of their private business. Again, these roads are not designed to promote the settlement and improvement of our agricultural lands, thereby adding to the aggregate value of taxable property, but on the contrary are intended to enable the owners to strip valuable timber lands of their value, thus decreasing the sum total of taxable property.

Your petitioners further represent to your honorable body that, in the case of the State road provided for by act No. 404, as above recited, no citizen of this county ever asked or desired that said road should be built; that there is not a permanent settler residing on the entire line of said road; that the said road was built solely for and as a lumber road; said act No. 404 was not complied with in the location of said road, in that it was not run by "the most direct and eligible route," as the said act provided; and further, that the commissioner appointed by said act to carry its provisions into effect, was a resident of another county, and at the time of such appointment, in the private employ of a non-resident lumbering firm; that he has ever since been in the service of said firm; that the said firm owned and still own large tracts of pine lands contiguous to the line of said road; that

these facts, in the judgment of your petitioners, should be sufficient to excuse from service in a public capacity, when the interests of the whole community are in the balance, and when, as in this case, the expenditures incurred are to be met from the public treasury. Your petitioners further represent to your honorable body that by the general laws there is in every organized township a "board of highway commissioners," with ample authority to lay out, alter, or discontinue any public highway which, in their judgment, may be proper and necessary, and that being located in the town and county where the proposed road is to be located and constructed, they have means of actual personal examination of the proposed location, together with maps and surveys of other roads with which connection is to be had by the new road sought to be obtained, which enable them to act on the matter in the light of facts and surroundings, which your honorable body seldom possesses, either by personal knowledge or reasonably accurate information. And your petitioners would respectfully submit that if you are to legislate for the appropriation and expenditure of any of the public monies raised by taxation within this county, that you ought, in justice to the interests involved, to provide in such law, that the public work to be laid out and the public money to be expended, should be so laid out and expended under the direction and control of the board of supervisors of the county, or some other proper authority directly responsible to the citizens and tax payers thereof. In the trust that your honorable body will fairly consider the rights and interests of those most concerned, your petitioners will ever pray, etc.

HARRISVILLE, Mich., February 11, 1873.

On motion of Mr. Lockwood,

The House adjourned.

*Lansing, Tuesday, February 18, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Cromack.

Roll called: quorum present.

Absent without leave: Messrs. Bottomley, Garvelink, Hoar, and Sanderson.

Mr. J. Walker asked and obtained leave of absence for Mr. Bottomley for the day.

Mr. Thomas asked and obtained leave of absence for Mr. Garvelink for the day.

Mr. Harris asked and obtained leave of absence for Mr. Hoar for the day.

#### PRESENTATION OF PETITIONS.

By Mr. Drew: Petition of C. A. Watts, G. G. Cobb, T. Mills, and 245 other citizens of the city and county of Jackson, praying the Legislature to frame and present to the legal voters of the State a substitute for section 47, article 4 of the constitution, empowering the Legislature to license the sale of ardent spirits or other intoxicating liquors;

Also: Petition of J. J. Williams, Mahlon R. Stout, and 168 others, for the same purpose.

Referred to the committee on State affairs.

By Mr. Markey: Statement of the township board of Springwells, of all matters in connection with the Fort street improvement;

Referred to the committee on roads and bridges.

The following is the statement:

*To the Honorable Legislative Committee, to whom was referred, the petition or case of Michael Henderson, praying for relief on the Fort Street improvement matter:*

GENTLEMEN:—The undersigned, members of the township board of the town of Springwells, in the county of Wayne and State of Michigan, having learned, with deep concern, that an

effort is being made to induce the honorable Legislature to make a law compelling said township to reimburse, to a very large amount, said Michael Henderson for work and labor assumed to have been done by him in the so-called "Fort Street Improvement," in our township, under act No. 416 of the session laws of 1869, and act No. 414 of 1871 amendatory thereof, respectfully beg leave to state to your honorable committee, in this way and manner, what they conceive and understand to be the real merits and facts in the case. There was a scheme started, in the first place, by a few enterprising gentlemen (would say a *ring*) to get up a new cemetery in the vicinity of Detroit, which they thought they could so manipulate in the right direction as to supplant or supersede the use of the two beautiful cemeteries on the eastern border of Detroit for "burial purposes." To accomplish which, in a monopolizing way, some 300 acres of about the only land that would answer for such purpose, near Detroit, was secured by them at the cost of about \$100 per acre, distant about five miles from the City Hall in Detroit, on the line of Fort Street, west, which they fenced, mowed down some brush, made a few roads on it, and called it Woodmere Cemetery, in which they held burial lots usually at 40 cents per foot, or \$17,424 per acre; or for 200 acres of it, (allowing the other 100 acres for roads and ornamentation) at the same rate, would amount to \$3,484,800. This may be well enough if the people so desire it. But while completing those arrangements, getting public highways vacated, taken up or changed to suit their convenience, were promising and holding out the idea that they were going to improve Fort Street and make a fine drive from the city to their new cemetery, and make great improvements in that direction. Then a move was made on the Legislature, first for act No. 12, page 12, volume I, session laws of 1869, concerning cemeteries, to which we earnestly, though respectfully, desire to call your critical and careful attention, in consideration with this Woodmere enterprise, which, as some of the stockholders

claim, will secure to them in the aggregate some millions of dollars. The next move, at the same legislature, was to get an act passed, which they did (being said act No. 416), to improve said Fort street for their particular benefit, but at the expense of the people of Springwells, who were not made acquainted with its provisions until too late to oppose it. But the township board knowing the almost unanimous wishes of the people of said township, and being only authorized, but not required, to make such improvements, did not deem it advisable to make them. But at the very next legislature, that of 1871, was asked (though we believe not by the people of Springwells who were not stockholders in Woodmere) to amend said act 416 to improve Fort street and provide for the maintenance thereof, which they attempted to do by said act No. 414, which was intended to *compel* the owners of property fronting on said Fort street to pay the salary of foreign commissioners, but who were stockholders and directors in Woodmere, to come into this town and lord it forever; to pay for surveying, engineering, grading, graveling, and macadamizing, or even paving said street and forever keeping it in repair, by toll or otherwise; and furthermore, the people thus burdened were not to be at all exonerated from other *highway taxes, in the same town and at the same time*, making this Fort street improvement and constant repair a perpetual lien and incumbrance upon their said property, to their grief and very great inconvenience. And we do believe that another part and parcel of this programme was to get passed by the same legislature (1871) act No. 164, to provide for vacating cemetery plats and cemetery grounds in the limits of incorporated cities and villages, thus insuring to them about the entire monopoly of interments of the city of Detroit and its suburbs, after vacating Elmwood and Mount Elliott cemeteries, as it is evidently the intention to do.

. The provisions of said acts Nos. 416 and 414 amendatory thereto, which this board deemed so unjust and so oppressive

that they openly and from the first declined to execute them on their part, which was well and publicly known and generally understood, especially to said Michael Henderson, who was particularly forewarned of the fact before he engaged to do any such work. And furthermore, we have been credibly informed and verily believe that said Henderson had no competitor; that no other person bid for the work; that he bid expecting trouble, and made his price and calculations accordingly; and that we do honestly believe that all the work he did on said Fort street never cost him to exceed \$4,000; and that said work, in the way it was done, did not permanently benefit said street but very little, probably not to exceed \$2,000, while he has already received nearly or quite the latter amount from parties interested in connection with Woodmere cemetery. We have now only to add that the commissioners appointed by the Governor, under said acts, have sought to compel us, by a writ of mandamus from the Supreme Court of this State, to execute and issue the bonds, as required by said acts, which said court refused to grant, and declared both acts illegal and unconstitutional. Thus the township of Springwells has already been put to considerable trouble and expense in contesting those unjust, unwarrantable, and unconstitutional acts, which the people of said township are very desirous of avoiding if possible, any more suits in the future.

SPRINGWELLS, February, 1873.

HENRY HAGGERTY,  
NICHOLAS RUDEN,  
HARRY BUTTON,  
FRANCIS HYNES,

*Township Board of the town of Springwells.*

By Mr. Thomas: Petition of B. D. Pritchard, A. J. Kellogg, and 16 others, asking for a reorganization of the 9th and 14th judicial circuits and creation of the 20th circuit;

Referred to the committee on judiciary.

The following is the petition:

*To the Honorable the Legislature of the State of Michigan :*

The undersigned, citizens of the county of Allegan, in said State of Michigan, would respectfully represent to your honorable body that in their judgment the 9th judicial circuit of said State, of which Allegan county forms a part, is so large and the business so great that the judge thereof cannot perform the duties of the office with that dispatch and promptness desirable, and that the same is also true of the 14th judicial circuit, of which Ottawa county forms a part ; that the population and legal business of said counties are rapidly increasing, and we would therefore respectfully request and petition your honorable body to create a new judicial circuit, to be composed of the said counties of Allegan and Ottawa. And your petitioners will ever pray, etc.

By Mr. Robinson : Petition of J. M. Gifford and 109 others, residents of Clarence and Sheridan, in the county of Calhoun, asking for a change in the boundaries of fractional school district No. 4 of Clarence and Sheridan ;

Referred to the committee on education.

The petition is as follows:

*To the Honorable the Legislature of the State of Michigan :*

We, the undersigned, residents of the townships of Clarence and Sheridan, in the county of Calhoun, would most respectfully represent to your honorable body that on the 31st day of March, 1871, the boundaries of school district No. four (4), fractional of said towns of Clarence and Sheridan, were so altered or changed, as shown by act No. 409 of session laws of 1871, in volume third, that the best interests of the said district are materially impaired in this wise :

*First.* That the location of the district left is in such shape that a portion of the inhabitants are under the necessity of sending nearly two miles to attend school, while a goodly portion, situate in Sheridan, are within the distance of half a mile, as seen by the act above referred to ;

*Second.* That the location of the district left is such that

the school site cannot be moved to result in any advantage to the district, made so by what is known as Prairie Lake and its surrounding marsh; and also, that the school-house is large, commodious, and nearly new, and could not, with any degree of propriety, be moved if the location of the district would reasonably admit of removal;

*Third*, That at the time of the passage of said act above referred to, a debt existed against said district of five hundred dollars, besides the interest which had accrued upon said debt, which indebtedness was made for the construction of said house; and by the passage of the act above referred to, nearly one-half of the value of said district has been detached, leaving no provision for the payment or disposition of said indebtedness.

And further, the undersigned would respectfully petition your honorable body that you would set back, by the passage of an act, the property described in the aforesaid act No. 409, of laws of 1871 (which has been detached by said act), into the original district No. 4, fractional, thereby causing the district to stand in its original form;

For the passage of which act your petitioners will ever pray.

Dated Clarence and Sheridan, this 12th day of February, A. D. 1873.

By Mr. Blackman: Petition of C. K. Edwards, J. S. Kaywood and 60 other citizens of Leoni, for amendments to the prohibitory liquor law:

*First*. By including beer and other fermented liquors in the same inhibitions with distilled liquors;

*Second*. By so amending Sec. 4 of the law as to make signs, advertisements, and all other appliances for conducting the business *prima facie* evidence of being a common seller;

*Third*. By providing for the appointment of a State Constabulary, whoses pecial duty it shall be to aid the local executive authorities in the thorough execution of the law;

*Fourth*. By making women equally liable with men for any and all violations of the law.



Also : Petition of A. H. Brown, W. R. Birdsall and 22 others of Jackson, for the same purpose ;

Also : Petition of A. F. Westcott and 99 others of Vernon, for the same purpose ;

Also : Petition F. Raymond and 42 others of Detroit, for the same purpose ;

Also : Petition of A. S. Brooks and 50 others of Homer, for the same purpose ;

Also : Petition of David Wiley, A. Shelley, and 135 others, for the same purpose ;

Also : Petition of F. W. May and 11 others of Midland, for the same purpose ;

Also : Petition of D. W. Snody and 15 others of White Rock, for the same purpose ;

Also : Petition of W. Whitcher and 39 others of Paw Paw, for the same purpose ;

Also : Petition of A. Parker and 40 others of Muskegon, for the same purpose :

Also : Petition of A. H. Herron and 37 others of St. Johns, for the same purpose ;

Also : Petition of M. A. Dougherty and 61 others of Albion, for the same purpose :

Also : Petition of J. Campbell and 34 others of Ortonville, for the same purpose ;

Also : Petition of W. S. Beach and 56 others of Farmington, for the same purpose ;

Also : Petition of J. W. Young and 62 others of Utica, for the same purpose ;

Also : Petition of H. B. Clapp and 121 others of Decatur, for the same purpose ;

Also : Petition of S. Chadwick and 33 others of Grand Ledge, for the same purpose ;

Also : Petition of C. A. S. Layton and 68 others of Tecumseh, for the same purpose ;

Also : Petition of S. W. Denton and 39 others of Pontiac, for the same purpose ;

Also : Petition of W. S. Ward and 37 others of Chesaning, for the same purpose ;

Also : Petition of A. Morris and 27 others of Detroit, for the same purpose ;

Also : Petition of L. P. Alden and 73 others of Quincy, for the same purpose ;

Also : Petition of C. H. Bauer and 42 others of Hastings, for the same purpose ;

Referred to the committee on State affairs.

By Mr. Bartholomew : Petition of J. Berner, G. W. Crane, and 30 others, asking for a law prohibiting the manufacture of farm and lumber wagons in the State Prison ;

Referred to the committee on manufactures.

By Mr. Bartholomew : Petition of John Robson, J. B. Porter, and 134 other citizens of Lansing, remonstrating against the repeal of the law creating the office of county superintendent of schools ;

Also : Petition of John Dunsback and 38 others, voters of Mason, remonstrating against the repeal of the law creating the office of county superintendent of schools ;

Referred to the committee on education.

By Mr. Priest : Remonstrance of Watson Lord, John E. Day, and 69 other citizens of Macomb county, against the repeal of the law creating county superintendents of schools ;

Referred to the committee on education.

By Mr. A. Walker : Remonstrance of W. H. Weeks and 10 other citizens of Ingham county, against the repeal of the law creating county superintendent of schools ;

Also : Remonstrance of L. A. Harrison, W. A. Tuttle, and 44 other citizens of Ingham county, for the same purpose ;

Also : Remonstrance of S. O. Russell, S. B. King, and 46 others, citizens of Leslie, against the repeal of the law providing for county superintendent of schools ;

Referred to the committee on education.

By Mr. J. Walker : Petition of Morgan Curtis, P. H. Gilkey,

G. B. Bingham, and 81 others, citizens of Kalamazoo county, for the repeal of the law creating the office of county superintendent of schools ;

Also : Petition of L. Taylor, Ira L. Sloan, J. E. West, and 57 other citizens of St. Joseph county, for the same purpose ;

Also : Petition of A. Jones, J. Rix, and 90 others, for the same purpose ;

Referred to the committee on education.

By Mr. Ripley : Petition of Robert Ure and 21 others, to establish fractional school district No. 1 in the township of Saginaw ;

Referred to the committee on education.

By Mr. Sessions : Petition of L. S. Lovell, H. Harter, S. S. Page, and 19 other citizens of Ionia county, relative to compensation of sheriff for attending circuit court ;

Referred to the committee on judiciary.

By Mr. Grant : Petition of Jacob Bissinger and 48 others, asking for adequate protection against losses by railroad fires ;

Referred to the committee on railroads.

By Mr. Cook : Petition of E. A. Nordman and 23 others, asking for adequate protection against loss by railroad fires ;

Referred to the committee on railroads.

By Mr. Lewis : Petition of James Birney, D. H. Fitzhugh, Jr., and 37 others, for a law for the protection of the species of fish known as "Grayling ;"

Referred to the committee on fisheries.

By Mr. Briggs : Petition of U. Bradford, P. S. Foot, J. Houseman, and 60 others, praying that certain territory, therein described, be annexed to the city of Grand Rapids ;

Referred to the committee on towns and counties.

By Mr. Armstrong : Resolution and remonstrance of the board of supervisors of Newaygo county against the formation of a new county by detaching any portion of said Newaygo county for that purpose ;

Referred to the committee on towns and counties.

By Mr. Lockwood: Petition of E. P. Haynes and others, to detach certain townships from the township of Harrisville and attach the same to the township of Alcona, in the county of Alcona;

Referred to the committee on towns and counties.

By Mr. Lockwood: Petition of George Johnson, and 40 others, to detach certain townships from the county of Presque Isle and attach the same to the county of Alpena;

Referred to the committee on towns and counties.

By Mr. Bailey: Petition of N. Gulick, E. B. Welch, and V. P. Deland and 60 others, asking for the incorporation of the village of Byron;

Referred to the committee on municipal corporations.

By Mr. Simpson: Petition of E. P. Harvey and 56 others, citizens of Bangor, Van Buren county, praying for the incorporation of the city of Bangor;

Referred to the committee on municipal corporations.

By Mr. Shaw: Remonstrance of the common council of the village of Wayland against the repeal of the charter of said village;

Referred to the committee on municipal corporations.

By Mr. Grant: Petition of S. W. Duffield, T. M. Cooley, and 30 other citizens of Washtenaw county, in regard to the purchase of Stanley's painting of Red Jacket for the new Capitol;

Referred to the special committee on the purchase of the "Trial of Red Jacket."

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was recommitted House bill No. 60, entitled

A bill to amend section 1 of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869, being section 2093 of the compiled laws of 1871,

Respectfully report that when this bill was referred back to the committee, it seemed to be the sense of the House that section 2 should be stricken out; therefore, the committee, having had the same under consideration, have directed me to report the same back to the House, with the accompanying amendment thereto, recommending that the amendment be concurred in, and that the bill do pass, and ask to be discharged from the further consideration of the subject.

S. H. BLACKMAN, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hertzler,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to provide for the removal of attachments, the same being a new section to chapter 201 of the compiled laws of 1871, being an act relative to "proceedings against debtors by attachments," to stand as section 32,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This bill seems necessary to provide for a deficiency in the present law, and also to provide for a measure that has long been needed.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Joint resolution, submitting an amendment to the constitution of the State, providing additional salary for the Governor of the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying substitute therefor, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The House concurred in the adoption of the substitute reported by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education :

The committee on education, to whom was referred

A bill defining the duties of township inspectors of schools,

Respectfully report that this bill provides for the election of one township inspector of schools, instead of two ; but it is imperfect in its details, and prescribes certain duties which would be very difficult for the inspector to perform.

The committee have therefore directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. A. Walker,

The bill was laid on the table.

By the committee on education :

The committee on education, to whom was referred

A bill to define the duties and labors of county superintendents of schools ;

Respectfully report that this bill requires county superin-

tendents to hold four institutes in each county, in each year.

The committee are unanimously of the opinion that the superintendents are best qualified to judge of the necessities of their counties in relation to the number of institutes which should be held.

They have therefore directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

A. K. WARREN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brunson,

The bill was laid on the table.

By the committee on local taxation :

The committee on local taxation, to whom was referred

A bill to legalize the assessment roll of the township of Jamestown, in the county of Ottawa,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The passage of this bill is desired for the reason that the treasurer failed to file his bond and receive the assessment roll until three days after the time required by law.

PRESTON MITCHELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A bill to prevent the destruction of muskrats and muskrat-houses in the marshes along the shores of Maple river in the counties of Clinton and Gratiot,

Respectfully report that they have had the same under consideration. The object appears to be to preserve and encour-

age the increase of muskrats in the marshes along the shores of Maple river. The bill is identical in its provisions with an act in the compiled laws relating to other parts of the State; and supposing it may be of some advantage to the inhabitants of the locality affected by it, the committee have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred so much of the retiring Governor's message as relates to the Portage Lake & Lake Superior Ship Canal, respectfully report that Portage Lake & Lake Superior Ship Canal Company was incorporated in 1865; that there was granted by the general government 400,000 acres of land to construct said canal. The company have met with many unexpected obstacles, which have delayed its completion. In their work they came in contact with a submerged forest, which prevented their dredging, and it was with great difficulty that a passage was opened where they supposed it would be comparatively easy. The canal is about two miles long; 3,500 feet had to be dug forty-five feet deep, and piles driven on both sides and planked, so as to prevent the sand filling up the channel. There has been expended on this canal and harbor about \$2,000,000, and it is estimated that it will cost about \$350,000 more to complete it. The original company having expended what means they could obtain by mortgaging their lands and other property, and not having the canal completed, and not being able to meet their "promises to pay," their creditors have taken possession of their property, which is now in the hands of a receiver, who is engaged in completing the



work, which will be done some time during next summer. When said canal is completed the State will have the right, and it will be their duty, to establish and regulate the tolls on said canal; for that purpose the committee have instructed me to report to the House the accompanying bill, entitled

A bill to provide for determining and regulating the tolls, and for the care, charge, and operating of Portage Lake & Lake Superior Ship Canal,

And recommend its passage, and ask to be discharged from the further consideration of the subject.

S. M. GARFIELD, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, February 14, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following concurrent resolution:

*Resolved* (the House concurring), That our Senators and Representatives in Congress be requested to use all honorable means to secure the passage of an act introduced into the House of Representatives by Hon. Samuel Shellabarger of Ohio, which reads as follows:

A bill to amend an act entitled “An act to facilitate commercial, postal, and military communication among the several States,” approved June 15, 1866.

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That the compensation authorized and contemplated by the second section of the act of the 15th of June, *anno domini* eighteen hundred and sixty-six, entitled “An act to facilitate commercial, postal, and military communication among the several

States," for the several descriptions of service named in said section, shall be charged at uniform rates per mile for the transportation of the same amount and description of freight, and the same description of passengers; and way passengers and freight shall not be subjected to higher rates of charge per mile than the lowest rates charged by the same line for the same service over any other part of the said line; and any person or persons who shall be subjected to, or demanded to pay, any excessive charge in violation of the provisions of this act, may recover from the party making the charge such excess so either demanded or paid, together with costs and reasonable counsel fees, in any court of competent jurisdiction: *Provided*, That the provisions of this act shall not prohibit any common carrier coming within its provisions from receiving just compensation for the necessary expenses of lading and unlading way freights: *And provided moreover*, that the provisions of this act shall apply to all common carriers in carrying passengers or freights on their way from one State to or through another State.

*Resolved*, That this resolution be engrossed, signed by the President of the Senate and Speaker of the House, and the Governor be requested to transmit a copy to each of our Senators and Representatives in Congress;

Which has passed the Senate, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

On motion of Mr. Walton,

The House concurred in the adoption of the resolution.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 14, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 29, entitled

A bill to amend section one of "An act authorizing any persons to construct lines of electric telegraph in the State of Michigan," being section 1608 in chapter 38 of the compiled laws of 1871;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 14, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

House bill No. 17, entitled

A bill to provide for the legalizing of certain bonds heretofore issued by the village of Pentwater ;

House bill No. 36, entitled

A bill to legalize the tax roll of the township of Rubicon, in the county of Huron, for the year 1872, and to extend the time for the collection of the taxes therein ;

House bill No. 23, entitled

A bill to legalize the assessment roll of the township of Henderson, in the county of Wexford, for the year eighteen hundred and seventy-two ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 14, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

House bill No. 18, entitled

A bill to legalize the tax roll of the village of Mt. Clemens for the year 1872 ;

4. House bill No. 22, entitled

A bill to legalize the assessment roll of the township of Cherry Grove in the county of Wexford, for the year 1872 ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 14, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following joint resolution :

Senate joint resolution No. 2, entitled

Joint resolution defining and confirming to the Chicago & Northwestern Railway Company the aid in lands heretofore authorized by law for the construction of a railroad from near the mouth of the Menominee River to Negaunee, in the Upper Peninsula ;

Which has passed the Senate by a majority vote of all the

Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committees on railroads and public lands, jointly.

#### NOTICES.

Mr. Bailey gave notice that on some future day he would ask leave to introduce

A bill to amend section 9, article 6, section 1, article 10, section 1, article 14, section 1, article 20 of act number 233, session laws 1871, entitled "An act to incorporate the village of Vernon," approved March 18, 1871.

Mr. Lockwood gave notice that on some future day he would ask leave to introduce

A bill to amend sections 14, 24, 57, and 84, of an act entitled "An act to incorporate the City of Alpena," approved March 29, 1871, being act number 249 of the session laws of 1871.

Mr. Simpson gave notice that on some future day he would ask leave to introduce

A bill to incorporate the city of Bangor, in Van Buren county.

Mr. Fey gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to incorporate the city of East Saginaw," approved February 15th, 1859, as amended by act No. 56 of the session laws of 1861, and act No. 79 of the session laws of 1865, approved March 1, 1865, and act No. 391 of the session laws of 1867, approved March 27, 1867, and act No. 284 of the session laws of 1869, approved March 16, 1869, and act No. 262 of the session laws of 1871,

approved April 12, 1871, and act No. 38 of the session laws of 1872, approved March 29, 1872.

Mr. Withington gave notice that on some future day he would ask leave to introduce

A bill to revise and amend the charter of the city of Jackson.

Mr. Chamberlain gave notice that on some future day he would ask leave to introduce

A bill to amend an act, entitled "An act to incorporate the village of St. Joseph, in the county of Berrien."

Mr. Scott, previous notice having been given, asked leave to introduce

A bill to amend sections 3 and 4 of an act entitled "An act to provide for the division of the township of Plymouth, Wayne county, into two election districts for general election purposes," approved April 15th, 1871.

Mr. Breitung gave notice that on some future day he would ask leave to introduce

A bill to incorporate the city of Ishpeming, in Marquette county.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to enlarge the corporate limits of the city of Detroit, and to create additional wards in said city.

Mr. Chamberlain gave notice that on some future day he would ask leave to introduce

A bill to incorporate the city of St. Joseph, in the county of Berrien.

Mr. Shaw gave notice that on some future day he would ask leave to introduce

A bill to amend act No. 250 of the session laws of 1871, entitled "An act to incorporate the city of Charlotte."

Mr. B. Walker gave notice that on some future day he would ask leave to introduce

A bill for the amendment of an act for the incorporation of

the village of Laingsburg, in the county of Shiawassee, approved April 8, 1871.

Mr. Lewis gave notice that on some future day he would ask leave to introduce

A bill to amend certain sections of an act entitled "An act to organize union school district of Bay City," approved March 20, 1867.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the acts amendatory thereof.

#### INTRODUCTION OF BILLS.

Mr. Lockwood, previous notice not having been given, asked leave to introduce

A bill to detach certain townships from the townships of Harrisville, and attach the same to the township of Alcona, in the county of Alcona.

The bill was read a first and second time by its title, and,

On motion of Mr. Lockwood,

The bill was laid on the table.

Mr. Lockwood, previous notice not having been given, asked leave to introduce

A bill to legalize the organization of the village of Au Sauble in the county of Iosco.

The bill was read a first and second time by its title, and,

On motion of Mr. Lockwood,

The bill was laid on the table.

Mr. Lockwood, previous notice not having been given, asked leave to introduce

A bill to repeal an act entitled "An act to provide for laying a State road from town 24 north, of range 4 east, to the meridian line," being act No. 443 of the session laws of 1871, approved April 15, 1871.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Welker, previous notice not having been given, asked leave to introduce

A bill for the better protection of railway employes, and to provide compensation for personal injury or loss of life while in the discharge of their duties.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Parsons, previous notice not having been given, asked leave to introduce

A bill relative to convicts in the State Prison.

The bill was read a first and second time by its title, and referred to the committee on State Prison.

Mr. Parsons, previous notice not having been given, asked leave to introduce

A bill to prohibit officers of public institutions from being interested in contracts made therewith, and to prevent bribery.

The bill was read a first and second time by its title, and referred to the committee on State Prison.

Mr. Parsons, previous notice not having been given, asked leave to introduce

A bill respecting officers and employes of the public institutions of the State.

The bill was read a first and second time by its title, and referred to the committee on State Prison.

Mr. Harris, previous notice not having been given, asked leave to introduce

A bill to provide for the laying out and establishing a State road in the county of Ontonagon.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Rose, previous notice not having been given, asked leave to introduce

A bill to provide for the preparation and compilation of a convenient index to all the local and personal laws, and joint and concurrent resolutions of this State.



The bill was read a first and second time by its title, and referred to the committee on State Library.

Mr. Eggleston, previous notice not having been given, asked leave to introduce

A bill to amend section 4776 of the compiled laws, regarding probate courts.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Eggleston, previous notice not having been given, asked leave to introduce

A bill to regulate the traffic in intoxicating liquors.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Bailey, previous notice not having been given, asked leave to introduce

A bill to incorporate the village of Byron.

The bill was read a first and second time by its title, and, On motion of Mr. Bailey,

The bill was laid on the table.

Mr. Withington, previous notice not having been given, asked leave to introduce

Joint resolution for the relief of Charles W. Penny and Joshua Palmer, sureties on the official bond of John W. Hulin; late clerk of the Michigan State Prison.

The joint resolution was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Withington, previous notice not having been given, asked leave to introduce

A bill to define and regulate the powers of the board of public works of the city of Jackson.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Robertson, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act to provide for the inventory and collection of the effects of deceased persons, the

same being section 4407 chapter 157, of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. West, previous notice not having been given, asked leave to introduce

A bill to establish a uniformity of text books in the public schools.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. West, previous notice not having been given, asked leave to introduce

A bill to establish a uniformity of text books in the public schools of Berrien county.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Ripley, previous notice not having been given, asked leave to introduce

A bill to amend chapter 92 of the compiled laws of 1871, entitled "An act to authorize the formation of corporations for building and leasing houses and other tenements."

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Ripley, previous notice not having been given, asked leave to introduce

A bill to establish fractional school district No. 1 of the township of Saginaw in the county of Saginaw.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Ripley, previous notice not having been given, asked leave to introduce

A bill to amend chapter 192 of the compiled laws of 1871, entitled "Judgments and executions."

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill to provide, upon the sale of lands, whether by levy, mortgage, judgment, or decree, for the discharge of the same from the records of the register of deeds.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act to provide for guardians and wards," the same being section 4837, chapter 172, of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill to create a court of conciliation.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Shaw, previous notice not having been given, asked leave to introduce

Joint resolution relative to the employment of convicts at the State Prison, in the manufacture of wagons, carriages, and sleighs.

The joint resolution was read a first and second time by its title, and referred to the committee on manufactures.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill to repeal section 4371, chapter 155 of the compiled laws of 1871, the same being an act entitled "An act to provide for letters testamentary and other proceedings in the probate of a will."

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill to amend section 11, chapter 150 of the revised statutes of 1840, as amended by act 134 of the session laws of 1867, approved March 27, 1867, being section 7443 of the compiled laws of 1871, relative to the fees of sheriffs.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Grant, previous notice not having been given, asked leave to introduce

A bill to amend section six, being section 6794, chapter 215 of the compiled laws of 1871, relative to certain liens upon real property.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Grant, previous notice not having been given, asked leave to introduce

A bill to amend section 55, being section 8100, chapter 267 of the compiled laws of 1871, relative to the State Prison and the government and discipline thereof.

The bill was read a first and second time by its title, and referred to the committee on State Prison.

Mr. Grant, previous notice not having been given, asked leave to introduce

A bill to limit the time for the presentation of claims to the boards of supervisors of the several counties of this State.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Grant, previous notice not having been given, asked leave to introduce.

A bill to fix the time for certain officers to present their annual reports to the boards of supervisors of the several counties of this State.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. L. Walker, previous notice not having been given, asked leave to introduce

A bill to amend sections 50 and 51, being compiler's sections

6252 and 6253, chapter 195, compiled laws of 1871, relative to the action of ejectment.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. L. Walker, previous notice not having been given, asked leave to introduce

A bill to provide for the perpetuation of evidence of maps, or plats of towns, cities, villages, etc.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. L. Walker, previous notice not having been given, asked leave to introduce

A bill to provide for the collection of statistical information of the insane, deaf, dumb, and blind in this State, and to repeal a joint resolution relative to statistical information of the deaf, dumb, and blind, approved April 3, 1848, being section 1883, chapter 52, compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on Asylum for the Insane, and the Asylum for the Deaf, Dumb, and Blind, jointly.

Mr. Warren, previous notice not having been given, asked leave to introduce

A bill to repeal act No. 425 of the session laws of 1871, entitled "An act to detach certain real estate from school district No. one (1), fractional, of Parma, Sandstone, Concord, and Spring Arbor, and attaching the same to school district No. three (3) of Parma.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Warren, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act to provide for fees of executors and administrators," the same being section 7441, chapter 239 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Lamb, previous notice not having been given, asked leave to introduce

A bill to establish and construct a State road to be known as the Imlay and Goodland State road, and making an appropriation of non-resident highway taxes for the same.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Lamb, previous notice not having been given, asked leave to introduce

A bill providing for the temporary withdrawal of the State public lands from market.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Breitung, previous notice not having been given, asked leave to introduce

A bill to provide for the repeal of chapter sixty-nine (69) of the compiled laws of 1871, and the acts supplemental thereto and amendatory thereof, being an act entitled "An act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Breitung, previous notice not having been given, asked leave to introduce

A bill to provide a system of taxation upon persons or corporations engaged in the manufacture or sale of spirituous liquors.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Thompson, previous notice not having been given, asked leave to introduce

A bill to revise the charter of the village of Whitehall, in Muskegon county.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Thompson, previous notice not having been given, asked leave to introduce

A bill to provide for the formation of medical societies.

The bill was read a first and second time by its title, and referred to the committee on public health.

Mr. Lewis, previous notice not having been given, asked leave to introduce

A bill to amend sections 13 and 16 of an act entitled "An act to provide for the uniform inspection of lumber," approved March 21, 1871, being sections 1521 and 1524 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on lumber and salt interests.

Mr. Lewis, previous notice not having been given, asked leave to introduce

A bill to amend section five of an act entitled "An act to protect fish, and preserve the fisheries of this State," approved March 21, 1865, being section 2076 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Lewis, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to revise and amend an act entitled 'An act to revise and amend an act entitled an act to incorporate the city of Bay City,' approved March 21, 1865, being act No. 348 of this session laws of this State for the year 1867, as amended by the act amendatory thereof," and to add several sections thereto.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Fancher, previous notice not having been given, asked leave to introduce

A bill requiring notaries public to provide a seal, and to impress the same on all papers signed by them officially.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to amend section 1 of chapter 153 of the compiled laws of 1871, relative to the title to real property by descent, being section 4309.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to amend section 36 of chapter 195 of the compiled laws of 1871, relative to the action of ejectment, being section 6238.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to amend section 11 of chapter 186 of the compiled laws of 1871, relative to consolidating and referring causes, being section 5816.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Fancher, previous notice not having been given, asked leave to introduce

A bill authorizing the board of State Auditors to solicit bids and contract for the publication of the Supreme Court reports.

The bill was read a first and second time by its title, and referred to the committee on printing.

Mr. Fancher, previous notice not having been given, asked leave to introduce

A bill to provide for the publication and distribution of the laws of 1873.

The bill was read a first and second time by its title, and referred to the committee on printing.



Mr. Fancher, previous notice not having been given, asked leave to introduce

Joint resolution relative to the distribution of the law journals, documents, and joint documents of the session of the Legislature of 1873.

The joint resolution was read a first and second time by its title, and referred to the committee on printing.

Mr. Fancher, previous notice not having been given, asked leave to introduce

A bill to provide for a Superintendent of State Printing, and to define the duties and fix the compensation thereof.

The bill was read a first and second time by its title, and referred to the committee on printing.

Mr. B. Walker, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act to incorporate the village of Laingsburg, Shiawassee county," approved April 8, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Gilmore previous notice not having been given, asked leave to introduce

A bill to detach sections 1, 12, 13, 24, 25, and all of section 36 lying west of the river Raisin, in the township of Palmyra in the county of Lenawee, from said township, and to attach the same to the township of Blissfield in said county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Bartholemew, previous notice not having been given, asked leave to introduce

A bill to amend section 1 of an act for the better regulation of the sale of poisons, being section 7732 of chapter 250 of compiled laws.

The bill was read a first and second time by its title, and referred to the committee on public health.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

A bill to amend section 37 of an act entitled "An act to revise the laws providing for the incorporation of railroad companies," approved April 17, 1871, being section 2441, chapter 75 of the compiled laws of 1871, relative to the taxation of certain railroad lands.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Walton, previous notice not having been given, asked leave to introduce

A bill to change the name of the First Presbyterian Church of the township of Franklin, Lenawee county, Michigan, to the First Congregational Church of the township of Franklin, in said county and State, and to appoint six trustees for the same.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Walton, previous notice not having been given, asked leave to introduce

A bill to provide for the preparation of wool and the condition in which the same shall be when offered for sale in markets of this State.

The bill was read a first and second time by its title, and referred to the committee on agriculture.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill to provide for the collection and printing of the laws of the territory of Michigan.

The bill was read a first and second time by its title, and referred to the committee on printing.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act to provide for fees

of appraisers, commissioners, and others," the same being section 7449, chapter 239 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Grant, previous notice not having been given, asked leave to introduce

A bill to amend section 7, being section 4407, chapter 157 of the compiled laws of 1871, relative to the inventory and collection of the effects of deceased persons.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Blackman, previous notice not having been given, asked leave to introduce

A bill to amend section 43 of chapter 178, and sections 7 and 16 of chapter 213 being sections 5291, 6732, and 6741 of the compiled laws of 1871, in relation to affidavits and bonds in actions of replevin.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Gordon, previous notice not having been given, asked leave to introduce

A bill to authorize the Governor, Secretary of State, and State Treasurer, to purchase for the State Stanley's painting known as the "Trial of Red Jacket."

The bill was read a first and second time by its title, and referred to the special committee on the purchase of the "Trial of Red Jacket."

Mr. E. C. Watkins, previous notice not having been given, asked leave to introduce

A bill to protect water-power owners.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Fey, previous notice not having been given, asked leave to introduce

A bill providing for a lien for labor and service upon logs and timber.

The bill was read a first and second time by its title, and referred to the committee on lumber and salt interests.

Mr. Bonine, previous notice not having been given, asked leave to introduce

A bill to authorize the acceptance of trusts, making the State trustee for insane persons, and to provide for the execution of such trusts.

The bill was read a first and second time by its title, and was referred to the committee on judiciary.

Mr. Chamberlain, previous notice not having been given, asked leave to introduce

A bill to amend section 68 of act No. 169 of the session laws of 1869, being section 68 of chapter 21 of the compiled laws of 1871, being an act for a uniform assessment of property, and for the collection and return of taxes thereon.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Kellogg, previous notice having been given and leave being granted, introduced

A bill to amend section 8 of an act to incorporate the village of Saranac, in Ionia county.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Markey, previous notice not having been given, asked leave to introduce

A bill to detach a portion of the township of Greenfield and attach the same to the township of Springwells.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

#### THIRD READING OF BILLS.

House manuscript bill, entitled

A bill authorizing the Bay City and Salzburg Bridge Company to issue bonds to aid in the construction of said Bridge Company's bridge,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Haywood,	Mr. Rose,
Armstrong,	Hertzler,	Scott,
Blackman,	Hewitt,	Sessions,
Bonine,	Kellogg,	Shaw,
Bottomley,	Kipp,	Simpson,
Briggs,	Knapp,	Smith,
Brunson,	Lamb,	Speed,
Chafey,	Lewis,	Striker,
Chamberlain,	Lockwood,	Thompson,
Cobb,	Luce,	Van Scoy,
Cook,	Markey,	A. Walker,
Curtis,	E. R. Miller,	B. Walker,
Dinturff,	Mitchell,	J. Walker,
Drake,	Morse,	L. Walker,
Fancher,	O'Dell,	Warren,
Fey,	Parsons,	E. C. Watkins,
Garfield,	Pierce,	Welker,
Goodrich,	Priest,	West,
Gordon,	Rich,	Wheeler,
Grant,	Ripley,	Withington,
Green,	Robinson,	Wixson,
Haire,	Robertson,	Speaker, 66

## NAYS.

Mr. Buell,	Mr. Van Aken,	Mr. Welch,
Gilmore,	Walton,	5

Title agreed to.

On motion of Mr. Lewis,

By a two-thirds vote of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 5, entitled

Joint resolution authorizing the issue of a patent to Parson King upon school land certificate number one thousand eight hundred and eighty-three,

Being under consideration,

On motion of Mr. Grant,

The joint resolution was laid on the table.

House bill No. 73, entitled

A bill to authorize the "Grand Rapids Orphan Asylum" to convey and transfer its property and concerns to the "Union Benevolent Association" of Grand Rapids,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rose,
Armstrong,	Greusel,	Scott,
Bailey,	Haire,	Sessions,
Bartholomew,	Harris,	Shaw,
Blackman,	Haywood,	Simpson,
Bonine,	Hertzler,	Smith,
Bottomley,	Hewitt,	Striker,
Breitung,	Kellogg,	Thomas,
Briggs,	Kipp,	Thompson,
Brunson,	Knapp,	Van Aken,
Buell,	Lewis,	Van Scoy,
Chasey,	Lockwood,	A. Walker,
Chamberlain,	Luce,	B. Walker,
Cobb,	Markey,	J. Walker,
Cook,	E. R. Miller,	L. Walker,
Curtis,	R. C. Miller,	Walton,
Dinturff,	Mitchell,	Warren,
Drake,	Morse,	E. C. Watkins,
Edwards,	O'Dell,	Welch,
Fancher,	Parsons,	Welker,
Ferguson,	Pierce,	West,
Fey,	Priest,	Wheeler,
Garfield,	Rich,	Withington,
Gilmore,	Ripley,	Wixson,
Goodrich,	Robinson,	Speaker,
Gordon,	Robertson,	

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## NAYS.

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Title agreed to.

On motion of Mr. Welker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 75, entitled

A bill to amend section 10 of act No. 406 of the session laws of 1869, being an act appropriating non-resident highway taxes in the county of Sanilac for the construction of a certain ditch in the county of Sanilac,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Rose,
Armstrong,	Haire,	Scott,
Bailey,	Harris,	Sessions,
Bartholomew,	Haywood,	Shaw,
Bonine,	Hertzler,	Simpson,
Bottomley,	Hewitt,	Smith,
Breitung,	Kellogg,	Speed,
Briggs,	Kipp,	Striker,
Brunson,	Knapp,	Thomas,
Carter,	Lamb,	Thompson,
Chafey,	Lewis,	Van Aken,
Chamberlain,	Lockwood,	Van Scoy,
Cobb,	Luce,	A. Walker,
Cook,	Markey,	B. Walker,
Curtis,	E. R. Miller,	J. Walker,
Dinturff,	R. O. Miller,	L. Walker,
Drake,	Mitchell,	Walton,
Edwards,	Morse,	Warren,
Ferguson,	O'Dell,	E. O. Watkins,
Fey,	Parsons,	Welch,
Garfield,	Pierce,	Welker,
Gilmore,	Priest,	West,
Goodrich,	Rich,	Wheeler,
Gordon,	Ripley,	Withington,
Grant,	Robinson,	Wixson,
Green,	Robertson,	Speaker,

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## NAYS.

Mr. Blackman,

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Title agreed to.

On motion of Mr. Wixson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

On motion of Mr. Scott,

The House took a recess until two o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

The House took up the order of

## PRESENTATION OF PETITIONS.

By Mr. Parsons: Remonstrance of Wm. Allman and 25 others of Sturgis, against the repeal of the county superintendent law ;

Referred to the committee on education.

Petition of the officers and share-holders of the National Exchange Bank of Albion, asking the passage of an act refunding to that and other banks the amount of illegal tax collected under the act of 1867 ;

Referred to the committee on ways and means.

By Mr. Hewitt: Remonstrance of George Young and 89 others, against the incorporation of the village of Reading, in Hillsdale county ;

Referred to the committee on municipal corporations.

By Mr. Withington : Petition of citizens of Jackson county asking the enactment of a law for the further protection of fish in the waters of Jackson county ;

Referred to the committee on fisheries.

By Mr. Priest : Petition of John E. Day and 44 others, citizens of Macomb county, asking for the enactment of a law providing for a county uniformity of text books in our public schools ;

Referred to the committee on education.

By Mr. Kellogg: Remonstrance of R. Vosper and 20 others, of Saranac, against the amending the charter of said village so as to give unlimited authority to the village board ;

Referred to the committee on municipal corporations.

By Mr. Robinson : Petition of J. M. Gifford and 49 others, residents of the township of Clarence in Calhoun county, asking that act number 334 of laws of 1869 be so amended as to



include "Duck Lake," "Prairie Lake," and the lakes known as "Gang of Lakes ;"

Referred to the committee on fisheries.

By Mr. Hoyt: Petition of Hon. N. L. Miller, Rev. H. N. Berrell, and 190 others, asking for the enactment of a law giving to mothers the custody of children, in case of separation of husband and wife ;

Referred to the committee on judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on mines and minerals :

The committee on mines and minerals, to whom was referred

A bill to relieve mining corporations and their officers in the Upper Peninsula, who have failed to make their returns and reports as required by law,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The object in reporting favorably on this bill is that the passage of this bill will ensure to mining companies that their charters will not be invalidated, and that the companies may in future make proper returns.

WM. HARRIS, *Chairman*.

Report accepted and committee discharged.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

#### NOTICES.

Mr. Hoar gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of L'Anse, in the county of Houghton.

Mr. Drake gave notice that on some future day he would ask leave to introduce

A bill authorizing the Hamtramck & Warren Plank-road Company to discontinue a part of their road.

Mr. L. J. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend section 43 of an act entitled "An act to revise the charter of the village of Hudson," approved February 27th, 1867.

Mr. Cobb gave notice that on some future day he would ask leave to introduce

A bill to incorporate the city of Kalamazoo.

Mr. Lamb gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Imlay City, in Lapeer county ;

Also,

A bill to incorporate the city of Imlay, in Lapeer county.

Mr. Caplis gave notice that on some future day he would ask leave to introduce

A bill to detach certain territory from the townships of Hamtramck, Greenfield, and Springwells, in the county of Wayne, and annex the same to the city of Detroit.

Mr. Dinturff gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act to re-incorporate the village of Fowlerville, Livingston county, and to define the boundaries thereof," approved April 15, 1871.

#### INTRODUCTION OF BILLS.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

Joint resolution authorizing the State Board of Control to authorize the issue of State swamp land credits to Henry W. Burley, for labor by him performed on the Osceola and Bridgeton State road.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. Morse, previous notice not having been given, asked leave to introduce

A bill relating to the publication of legal advvertisements.

The bill was read a first and second time by its title, and referred to the committee on printing.

Mr. Gilmore, previous notice not having been given, asked leave to introduce

A bill to amend section 8 of chapter 150, being section 4210 of the compiled laws of 1871, relative to alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Burns, previous notice not having been given, asked leave to introduce

A bill to authorize the Governor, Secretary of State, and State Treasurer, to purchase for the State the portrait of Dr. Douglas Houghton, painted by Mr. A. Bradish.

The bill was read a first and second time by its title, and referred to the special committee on the purchase of the "Trial of Red Jacket."

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to repeal section 26 of chapter 108 of the compiled laws for 1871, being section 3077.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Lockwood, previous notice not having been given, asked leave to introduce

A bill to organize union school district of the city of Alpena, and establish a board of education.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to amend sections 4 and 11 of an act entitled "An act to provide for the imprisonment and detention of convicted persons in the Detroit House of Correction," approved April 3d, 1869, the same being sections 8175 and 8181, chapter 269 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Bartholomew, previous notice not having been given, asked leave to introduce

A bill to amend section one of an act to prevent the adulteration of coal oil, chapter 250, section 7731, compiled laws.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to amend sections 2, 3, 14 and 16, of an act entitled "An act to establish the Detroit House of Correction, and to authorize the confinement of convicted persons therein," approved March 15, 1861.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Burns, previous notice not having been given, asked leave to introduce

A bill to amend section 5 of an act entitled "An act to provide a police government for the city of Detroit," approved April 17, 1871, and to add two new sections thereto.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Blackman, previous notice not having been given, asked leave to introduce

A bill to amend section 220 of chapter 178, being section 5468 of the compiled laws of 1871, relative to *certiorari* to justices of the peace.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Blackman, previous notice not having been given, asked leave to introduce

A bill to amend section 19 of chapter 69, being section 2152 of the compiled laws of 1871, being section 19 of an act entitled "An act to prevent the manufacture and sale of spirituous or intoxicating liquors as a beverage," approved February 3, 1855.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

A bill to organize the township of Haring in the county of Wexford.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Parsons, previous notice not having been given, asked leave to introduce

A bill to provide for convict labor.

The bill was read a first and second time by its title, and referred to the committee on State Prison.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to provide for a municipal court in the city of Detroit, to be called the Superior Court of Detroit.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to authorize mining and manufacturing companies or associations to amend their articles of association.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. Caplis, previous notice not having been given, asked leave to introduce

A bill to detach certain territory from the township of Hamtramck and Springwells, and to annex the same to the city of Detroit.

The bill was read a first and second time by its title, and was referred to the committee on municipal corporations.

Mr. Caplis, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act to establish a police government for the city of Detroit, as amended by the act of April 17th, 1871."

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Breitung, previous notice having been given and leave being granted, introduced

A bill to incorporate the city of Ishpeming, in Marquette county.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Chamberlain, previous notice having been given and leave being granted, introduced

A bill to amend section 103 of chapter 10 of the compiled laws of 1871, being a bill prescribing the duties of county surveyors.

The bill was read a first and second time by its title, and,

On motion of Mr. Chamberlain,

The bill was laid on the table.

Mr. Smith, previous notice having been given and leave being granted, introduced

A bill to convey the title of the State of Michigan in and to certain estate to Mary Jane Conroy.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Kipp, previous notice not having been given, asked leave to introduce

A bill to change the name of Ella M. Mirahaw to Ella M. Runyan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hoyt, previous notice having been given, asked leave to introduce

Joint resolution to provide for the preparation of an index to the Senate and House bills now on file in the State Library.

The joint resolution was read a first and second time by its title, and referred to the committee on State Library.

Mr. Hoyt, previous notice not having been given, asked leave to introduce

A bill to provide for the compilation of the early documentary history of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hoyt, previous notice not having been given, asked leave to introduce

A bill to amend section 45 of chapter 192, being section 6119 of the compiled laws of 1871, relating to judgments and executions.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Hoyt, previous notice not having been given, asked leave to introduce

A bill to establish the right to the care and custody of minor children in case of the separation of husband and wife, being the father and mother of said minor children ;

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Lockwood, previous notice not having been given, asked leave to introduce

Joint resolution concerning the State swamp lands in certain counties.

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

Mr. Scott, previous notice not having been given, asked leave to introduce

A bill to amend sections 31 and 40 of chapter 21 of compiled

laws of 1871, in reference to assessment of property and for the collection and return of taxes thereon, being sections 997 and 1006.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. West, previous notice not having been given, asked leave to introduce

A bill detaching certain territory from the township of Saint Joseph, Berrien county, and annexing the same to the township of Benton.

The bill was read a first and second time by its title, and,

On motion of Mr. West,

The bill was laid on the table.

Mr. Edwards asked leave to introduce

A bill relative to elections and registration of electors in the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Remer, previous notice having been given and leave being granted, introduced

Joint resolution for the relief of St. Clair county, and to authorize the Board of State Auditors to settle with the bail of Henry Johr, late treasurer of St. Clair county.

The joint resolution was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Sessions, previous notice not having been given, asked leave to introduce

A bill to amend sections 1 and 2 of chapter 29, being sections 1323 and 1324 of the compiled laws of 1871, relative to the liability of townships and corporations neglecting to keep bridges and culverts in repair.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.



## THIRD READING OF BILLS.

House bill No. 76, entitled

A bill to amend section 97 of an act entitled "An act to provide for the uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1063 of chapter 21 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robinson,
Armstrong,	Green,	Robertson,
Bailey,	Greusel,	Rose,
Bartholomew,	Haire,	Scott,
Blackman,	Harris,	Sessions,
Bonine,	Haywood,	Shaw,
Bottomley,	Hertzler,	Simpson,
Breitung,	Hewitt,	Smith,
Briggs,	Hoar,	Speed,
Brunson,	Hosner,	Striker,
Buell,	Hoyt,	Thomas,
Burns,	Kellogg,	Thompson,
Carter,	Kipp,	Van Aken,
Chafey,	Knapp,	Van Scoy,
Chamberlain,	Lamb,	A. Walker,
Cobb,	Lewis,	B. Walker,
Cook,	Luce,	J. Walker,
Curtis,	Markey,	L. Walker,
Dinturff,	E. R. Miller,	Walton,
Drake,	R. C. Miller,	Warren,
Drew,	Mitchell,	E. C. Watkins,
Edwards,	Morse,	Welch,
Fancher,	O'Dell,	Welker,
Ferguson,	Parsons,	West,
Fey,	Pierce,	Wheeler,
Garfield,	Priest,	Withington,
Gilmore,	Remer,	Wixson,
Goodrich,	Rich,	Speaker,
Gordon,	Ripley,	

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## NAYS.

Mr. Lockwood,  
Title agreed to.

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On motion of Mr. Walton,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

MOTIONS, AND RESOLUTIONS.

Mr. Brunson moved to discharge the committee of the whole from the further consideration of House bill No. 108, entitled

A bill to legalize the tax roll of the township of Bingham, in the county of Clinton, for the year eighteen hundred and seventy-two;

Which motion prevailed.

On motion of Mr. Brunson,

The bill was placed on the order of third reading.

Mr. Greusel offered the following:

*Resolved*, That the Sergeant-at-Arms be authorized to have the water closet, connected or belonging to this House, white-washed as soon as can be done;

Which was adopted.

Mr. Rose offered the following:

WHEREAS, A complete compilation of the general railroad legislation of the State of Michigan, containing the general railroad law of 1855, with amendments, supplemental acts, and all of the enabling acts, together with the acts of Congress, and of the Legislature of this State, granting lands to railroad companies, has been duly arranged and published;

AND WHEREAS, Not a single copy of this valuable book is owned by the State of Michigan; therefore, to the end that said work may be provided for the use of the members of the Legislature and State officers, be it

*Resolved by the House of Representatives* (the Senate concurring), That the State Librarian be authorized and instructed to furnish forthwith one dozen copies of said compilation, and place the same in the State Library.

Mr. Rose moved that the rules be suspended and the resolution be placed on its immediate passage;

Which motion did not prevail.

The resolution was laid on the table under the rules.

GENERAL ORDER.

On motion of Mr. Chamberlain,

The House went into committee of the whole, on the general order,

Mr. Rose in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

1. House bill No. 77, entitled

A bill to make an appropriation in aid of the Michigan Pomological State Society;

2. Senate bill No. 41, entitled

A bill to amend section 1 of chapter 154 of the compiled laws of 1871, relative to wills of real and personal estate;

3. Senate bill No. 37, entitled

A bill to repeal an act entitled "An act in relation to collection of recognizances in criminal cases," approved March 7, 1861, being sections 6884, 6885, and 6886 of the compiled laws of 1871;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills:

4. House bill No. 54, entitled

A bill to amend sections 7, 8, 9, 10, 30, 31, 38, 39, 42, 64, 70, and 95 and to repeal section 50 of an act entitled "An act for the re-organization of the military forces of the State of Michigan," approved January 18, 1862, being sections 834, 835, 836, 837, 857, 858, 865, 866, 869, 877, 891, 897 and 922, chapter 18 of the compiled laws of 1871, and to add new sections thereto;

5. House bill No. 74, entitled

A bill to amend an act entitled "An act to provide for laying out and constructing a State ditch or drain in the counties of St. Clair and Sanilac, and making an appropriation of State swamp lands, to aid in the construction of the same, being act No. 382 of session laws of 1871,"

6. House bill No. 78, entitled

A bill to amend section 7 of chapter 169, it being section 4725 of the compiled laws of 1871, relative to marriage and the solemnization thereof;

7. House bill No. 79, entitled

A bill making appropriations for the Institution for Educating the Deaf, Dumb, and the Blind, for the years 1873 and 1874 ;

8. House bill No. 80, entitled

A bill to amend section 8 of an act entitled "An act to reincorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15th, A. D. 1861, and to add a new section to said act ;

9. House bill No. 81, entitled

A bill to establish a State Board of Health, to provide for the appointment of a Superintendent of Vital Statistics, and to assign certain duties to local boards of health ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

E. O. ROSE, *Chairman.*

The first three mentioned bills were placed on the order of third reading.

On motion of Mr. Remer,

The House concurred in the amendments made to the last six mentioned bills by the committee, and they were placed on the order of third reading.

Mr. Ferguson, by unanimous consent, presented the petition of S. R. Steward and 18 others, for the organization of town twenty-two, north of range nine west, in Wexford county, to be called the township of Haring ;

Referred to the committee on towns and counties.

Mr. Van Scoy asked and obtained leave of absence indefinitely on account of sickness.

On motion of Mr. Kipp,

The House adjourned.

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*Lansing, Wednesday, February 19, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Davis.

Roll called: quorum present.

PRESENTATION OF PETITIONS.

By Mr. Bonine: Petition of G. Kinmal and 57 others, asking for the repeal of the prohibitory liquor law;

Referred to the committee on State affairs.

By Mr. Thomas: Petition of W. B. Williams and 18 others, asking for the re-organization of the ninth and fourteenth judicial circuits and to create the twentieth circuit;

Referred to the committee on judiciary.

By Mr. Robinson: Petition of G. W. Barker and 122 others, citizens of Albion, asking for the repeal of the prohibitory liquor law;

Referred to the committee on State affairs.

By Mr. Hewitt: Petition of George Hopkins and 51 others, asking for the passage of a law to prohibit the manufacture of farm and lumber wagons in the State Prison at Jackson;

Referred to the committee on manufactures.

By Mr. Striker: Remonstrance of Leander Lapham, A. D. Wolf, and 25 others, citizens of Barry county, against the passage of a law to bridge the Thornapple river at the expense of the county;

Referred to the committee on roads and bridges.

By Mr. Smith: Petition for the confirmation of title in the matter of Mary Jane Conway;

Referred to the committee on public lands.

By Mr. Blackman: Remonstrance of L. E. Barnum and 53 others, citizens of the village of Paw Paw, against amending the village charter by adding more territory to said village;

Referred to the committee on municipal corporations.

By Mr. Walton: Petition of L. C. Blood, J. S. Strong, and 75 others, citizens of Tecumseh, asking for the passage of House bill No. 54, relative to amendments to the militia law;

Referred to the committee on military affairs.

By Mr. Blackman: Petition of P. P. Field, M. D., for amendment to the prohibitory law, "with a qualification;"

Also: Petition of Wm. Eames and 51 other citizens of Grand Blanc, for the same purpose;

Also: Petition of H. H. Kelsey and 14 other citizens of Utica, for the same purpose;

Also: Petition of J. S. Tibbets and other citizens of Detroit, for the same purpose;

Also: Petition of J. W. Holmes and 19 other citizens of Mosherville, for the same purpose;

Also: Petition of W. S. Townsend and 24 other citizens of Davison, for the same purpose;

Also: Petition of J. P. Gillett and 11 other citizens of Manchester, for the same purpose;

Also: Petition of Samuel E. Haxon and 20 other citizens of Ada, for the same purpose;

Also: Petition of M. W. Swain and 49 other citizens of Detroit, for the same purpose;

Referred to the committee on State affairs.

By Mr. E. R. Miller: Petition of Nelson Boyle, T. Lake, and 37 others, to abolish the office of county superintendent of schools;

Referred to the committee on education.

By Mr. Garvelink: Remonstrance of W. Wilcox, John

Eppink, and 53 others, citizens of Allegan county, against the repeal of the law creating the office of county superintendent of schools ;

Referred to the committee on education.

By Mr. Warren : Remonstrance of Hon. O. Hosford, Prof. J. L. Daniels, and 40 others, citizens of Eaton county, against the repeal of the law creating the office of county superintendent of schools ;

Referred to the committee on education.

By Mr. Zimmerman : Remonstrance of W. J. Pepper, W. G. Hickey, and 45 others, citizens of Oakland, against the repeal of the law creating the office of county superintendent of schools ;

Also : Remonstrance of R. Bird, J. A. Bigelow, and 46 others, for the same purpose ;

Also : Remonstrance of E. P. Emmons, A. S. Warner, and 45 others, for the same purpose ;

Also : Remonstrance of D. H. Stone, J. G. Mitchell, and 45 others, for the same purpose ;

Also : Remonstrance of J. C. Spencer and 26 others, for the same purpose ;

Also : Remonstrance of C. L. Ingersoll and 14 others, for the same purpose ;

Referred to the committee on education.

Also : Petition of W. E. Henwick and 49 others, citizens of Oakland county, asking for a law establishing a uniformity of text books in the public schools ;

Also : Petition of Vincent Brown and 32 others, for the same purpose ;

Also : Petition of John Brown and 15 others, for the same purpose ;

Referred to the committee on education.

By Mr. Sessions : Petition of E. O. Marcy and 71 others, for the submission of an amendment to the constitution, authorizing the Legislature to license the sale of ardent spirits ;

Referred to the committee on State affairs.

## REPORTS OF STANDING COMMITTEES.

By the committee on military affairs:

The committee on military affairs, to whom was referred the petition of E. W. King and others, asking for pay for military services done the State of Michigan,

Respectfully report that they have had the same under consideration, and find that in the cases of the petitioners and of the other non-commissioned officers and musicians of the 5th, 6th, and 7th regiments of Michigan volunteer infantry, payment appears not to have been made for certain services, that such non-payment was from accidental causes, and not upon any question of the just right of the men to pay. The committee have therefore directed me to recommend that the prayer of the petitioners be granted, and to report a joint resolution for that purpose, entitled

Joint resolution authorizing the Auditor General to audit and pay the claims of the non-commissioned officers and musicians of the 5th, 6th, and 7th regiments of Michigan volunteer infantry, for services rendered in the month of August, 1861,

They recommend that the joint resolution do pass, and ask to be discharged from the further consideration of the subject.

W. H. WITHINGTON, *Chairman.*

• Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency in writing.

By the committee on military affairs:

The committee on military affairs, to whom was referred that portion of Governor Baldwin's message recommending an appropriation of \$6,000 for the purchase of grounds for the interment of soldiers dying at the Soldiers' Home, Detroit,

Respectfully report that they have had the same under con-



sideration, and have directed me to report a bill for that purpose, entitled

"A bill to authorize the purchase and improvement of grounds in Elmwood Cemetery, Detroit, for the interment of deceased Michigan soldiers not otherwise provided a final resting-place, and to make the necessary appropriation therefor."

They recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

W. H. WITHINGTON, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on insurance :

The committee on insurance, to whom was referred

A bill to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties, and to repeal chapter 97 of the compiled laws of 1871, and also act number 94 of the session laws of 1871, approved April 12, 1871,

Respectfully report that act number 262 of the session laws of 1859, being said chapter 97 of the compiled laws, was enacted for the purpose of incorporating both stock and mutual fire insurance companies, and also life insurance companies; that in 1869 the legislature passed "An act relative to the organization and powers of fire and marine insurance companies transacting business within this State," approved April 3, 1869, it being chapter 99 of the compiled laws of 1871, section (3001) 37 of which exempted farmers' mutual fire insurance companies from its provisions and making such mutual insurance companies amenable to the provisions of the said act of 1859, being said chapter 97 of the compiled laws of 1871; that in 1869 the legislature passed "An act in relation to life insurance companies transacting business within this State," approved March 30, 1869, it being chapter 98 of the compiled laws of 1871.

By the passage of the two acts named, the said chapter 97 of the compiled laws is virtually repealed as to the provisions relating to stock fire insurance companies and life insurance companies, but still in force as to the requirements pertaining to mutual fire insurance companies.

The bill under consideration is simply a proposition to enact a law which shall embrace the existing provisions relative to mutual fire insurance companies, and to repeal said chapter 97 of the compiled laws of 1871, and also act No. 94 of the session laws of 1871, which was omitted from the compilation.

The committee respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. H. GREEN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the State Library:

The committee on the State Library, to whom was referred Joint resolution relative to the State Library,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, for the reason that they believe that such a collection will be of great interest to the people of this State, and ask to be discharged from the further consideration of the subject.

This resolution proposes to provide for the collection of geological and other specimens at the State Library, so far as the same can be done by donation.

J. P. HOYT, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on Agricultural College:

The committee on the Agricultural College, to whom was referred Senate bill No. 51, entitled

A bill making an appropriation for the support of the State Agricultural College; to pay arrearages of the same; to pay the expenses of the State Board of Agriculture; and for building and other improvements at the Agricultural College,

Have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject. The reasons for the above recommendation are as follows: The amount for current expenses is based upon the amount used in the years 1871 and 1872. The indebtedness was created in making permanent improvements which were needed, and which a sale of swamp lands in 1871 warranted the board in undertaking; but the sale of swamp lands was so much less in 1872 than was estimated, that they were unable to complete the same. A larger house for the President is needed, the one now occupied by him being too small for the accommodation of his family and the guests he is called upon to entertain as President of the College.

Two of the professors at present reside in Lansing, and another at some distance from the College. It is quite essential that they should reside at the College, as they have charge of students' labor and of the College buildings. The House now occupied by the President, and the two contemplated in the bill, will provide for the present faculty. A green-house is necessary if a green-house is essential at all, for the present building is very much out of repair, and is unfit for keeping a variety of plants requiring different degrees of heat and moisture. It will probably require the whole amount provided for in the bill to erect a suitable building. The improvements of buildings and grounds consists in repairs on the older buildings and in building fences, walks, and drives, and in the

erection of some necessary out-buildings. The library and apparatus for chemical laboratory is evidently needed. A list of the articles is in possession of the committee, with the prices of the same, which make the amount asked for this purpose.

JOHN T. RICH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred the following resolution:

*Resolved*, That the committee on fish and fisheries be instructed to inquire into the practicability and propriety of compelling owners of dams to build fish-ladders, instead of shutes or locks, to enable the free passage of fish over the dams upon the streams in this State;

Have had the same under consideration, and respectfully report: the form and construction of fish-ways has for the last twenty years received very careful consideration, and conclusions have been reached which prove the great value of the improved fish-ways, designated in the resolution as fish-ladders. Especially is this true when high dams are constructed, as the ordinary shute is in this case of little or no value, while with the improved fish-ways, falls of 25 and 30 feet are readily surmounted. The forms which have given most satisfaction are known as the Galway ladder, of Ireland, and the Brackett fish-way, of Massachusetts; and should commissioners of fisheries be appointed in Michigan, your committee would recommend that they be empowered to regulate the construction as well as enforce the establishment of suitable fish-ways over all dams in the State, and ask to be discharged from the further consideration of the subject.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Garfield,

The report was agreed to.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill authorizing the board of supervisors of Branch county to make all needful rules and regulations for the further protection of fish in any and all of the lakes and streams of Branch county,

Respectfully report that they have had the same under consideration, and that upon examination of chapter 63, section 7 of the compiled laws, we find that the object sought by the bill is substantially obtained in said section, and do therefore report back said bill without recommendation, and ask to be discharged from the further consideration of the subject.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Welker,

The bill was laid on the table.

By the committee on State Public School:

The committee on the State Public School, to whom was referred so much of the messages of the retiring and incoming Governors as relates to the State Public School, respectfully report, that they have carefully considered the recommendations, and have visited the location selected by the Board of Control of the State Public School at Coldwater. The selection we are highly gratified with—the generous liberality and noble gift of the citizens of Coldwater fully deserve our thanks; and we congratulate the State upon securing the location of the State Public School in that beautiful and healthy city. The Board of Control have secured twenty-one acres of land, high and commanding, with an extended view of the surrounding country, and have let the contract for building the main edifice and four cottages, to be completed in November next.

Your committee found large quantities of material on the ground, which gave us the assurance that the contract will be completed at the specified time.

Your committee would recommend all to examine the plans and specifications, which will be found in the private office of the Governor, who will take pleasure in showing and explaining them.

Your committee also recommend that the Board of Control be authorized to purchase fifteen additional acres, contiguous to the present site, which seem necessary for adding completeness to the grounds, and for rendering the location as handsome and inviting as could be desired, and the purchase of which should be made at once, as the land can be had at a reduced price and on reasonable terms.

In addition, your committee concur fully in recommending the appropriations asked for by the Board of Control of the State Public School.

To carry out these recommendations, and make what we deem proper provisions for the needs of the institution, your committee report herewith the following entitled bills :

A bill authorizing the Board of Control of the State Public School to purchase additional land, for the use of the State Public School ;

Also,

A bill making an appropriation for the support of the State Public School, and providing for building additional cottages and other improvements for the same ;

Recommending that the same do pass, and asking to be discharged from the further consideration of the subject.

J. C. LAMB, *Chairman.*

Report accepted and committee discharged.

The bills were read a first and second time by their titles, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on federal relations :

The committee on federal relations, to whom was referred

The petition of sundry inhabitants of the counties of St. Clair, Sanilac, and Lapeer, relating to the land grant of the United States to the Port Huron & Milwaukee Railroad,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with the accompanying joint resolution, entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors against transferring the land grant of the Port Huron & Milwaukee Railroad to any railroad or corporation, and that the lands be restored to entry under the provisions of the Homestead law,

Recommending that the said joint resolution do pass, and ask to be discharged from the further consideration of the subject.

Their reasons for so reporting are that said lands are, to a large extent, in an improved part of the country, and withholding them from the market seriously retards the making of roads and other improvements in the section of country where they are situated.

T. C. RIPLEY, *Chairman.*

Report accepted and committee discharged.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred so much of the Governor's message as relates to the wards of the State,

Respectfully report that they have had the same under consideration, and have directed me to report the accompanying bill, entitled

A bill to provide for the compulsory education of deaf, and dumb, and blind children within the State of Michigan,

And recommend that it do pass.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, and referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred

A petition of O. Joslin and 40 others, citizens of Washtenaw county, asking for the passage of a law to compel superintendents of the poor to itemize their accounts, and to provide for the publication of the same,

Respectfully report that they have had the same under consideration, and find that the law already requires the superintendents of the poor to render to the board of supervisors a detailed account of all moneys received and expended by them, but it may be doubtful whether the supervisors are bound to publish the account. It is believed to be the policy of the law that all such accounts of the receipts and expenditures of moneys, by official authority, be published. Therefore, to remove all doubt as to the obligation of the boards of supervisors in the matter, your committee have directed me to report the same back to the House, with the accompanying bill, entitled

A bill to amend section 9 of an act relative to the duties of boards of supervisors, approved April 8, 1851, being compiler's section 475, chapter 10, of the compiled laws of 1871 ;

Recommending that the bill do pass, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred so much of the Governor's message as relates to State statistics,

Respectfully report that they have had the same under consideration, and have directed me to report the accompanying bill, entitled

A bill to establish a bureau of statistics,

And recommend that it do pass.

L. WALKER, *Chairman.*



Report accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred  
Senate bill No. 30, entitled

A bill to amend section 2 of chapter 64, being section 2094 of compiled laws of 1871, entitled "An act for the protection of game and muskrats,"

Respectfully report that they have had the same under consideration, and as the committee perceive no particular necessity for the legislation proposed, have directed me to report the same back to the House without recommendation, and ask to be discharged from the further consideration of the subject.

L. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Garfield,

The bill was laid on the table.

By the committee on University and Normal School:

The committee on University and Normal School, to whom was referred so much of the messages of the incoming and retiring Governors, as related to those institutions, respectfully report that in order to a more complete and satisfactory understanding of the conditions and necessities of said institutions than could otherwise have been obtained, they have visited the same and have informed themselves upon the following facts:

In the University in 1871-2 there were 1,224 students, exceeding nearly 100 the number present on any previous year. Of this number 517 were in the department of literature, science, and the arts, 354 in the department of medicine, and 353 in the department of law.

In 1872 and 1873, the present year, the number of students in all the departments are 1,163, or 61 less than last year. The literary department contains 476, the medical 357, the law 330.

The Board of Regents, recognizing the equality of rights of the sexes and the advantages of the highest education, have opened the doors of the University to women in all its departments, and not a few young ladies of Michigan have availed themselves of the advantages thus afforded. In 1870-1 the number of women registered in the different departments were 34; of whom there were in the law department 2, in the medical 18, and in the literary 14. In 1871-2 this number was increased to 64, there being in the law department 3, medical 33, literary 28. In the literary department they were distributed in the several classes as follows: Seniors 2, sophomore 7, freshmen 13, and select courses 6. Last year 6 women graduated from the medical department, 2 from the literary, and 1 from the law.

The results of this attempt to educate the sexes together in the University have been most gratifying, and place the policy of co-education in that institution beyond a mere experiment. The President says: "The young women have addressed themselves to their work with great zeal, and have shown themselves quite capable of meeting the demands of severe studies as successfully as their classmates of the other sex. Their work so far does not evince less variety of aptitude, or less power of grappling even with higher mathematics than we find in the young men. They receive no favors, and desire none. They are subjected to precisely the same tests as the men." And adds further: "If we are asked still to regard the reception of women into our classes as an experiment, it must certainly be deemed a most hopeful experiment."

The fame and renown of the University has gone abroad, and several of its professors are known as eminent scientific men on both sides of the Atlantic. Its system of discipline, manner of conducting recitations and examinations, and peculiar educational ideas, are rapidly spreading everywhere. Its popularity and reputation may be partially estimated from an examination of the calendar of the University for 1872-3,

which shows for this year that students have come from twenty-seven States of the Union and three Territories, from Canada, New Brunswick, Nova Scotia, the Sandwich Islands, and Japan, distributed as follows:

Michigan .....	535
Ohio .....	108
Illinois .....	142
Indiana .....	50
New York .....	77
Pennsylvania .....	60
Iowa .....	26
Wisconsin .....	35
Missouri .....	16
Tennessee .....	3
Massachusetts .....	17
Vermont .....	6
Kentucky .....	4
Minnesota .....	11
Maine .....	7
New Jersey .....	5
Connecticut .....	3
Kansas .....	2
Delaware .....	1
New Hampshire .....	3
Dakota Territory .....	1
Arkansas .....	2
Virginia .....	4
New Brunswick .....	1
West Virginia .....	6
Nebraska .....	4
Colorado .....	1
California .....	2
Oregon .....	2
Texas .....	2
Washington, D. C. ....	2

Ontario (Canada),.....	20
Nova Scotia .....	1
Hawaiian Islands.....	4
Japan.....	1
<hr/>	
Totals .....	1164

Nearly one-half of the whole number are from our own State, though many of them reside here only temporarily. All of the New England States are represented except Rhode Island; even Massachusetts, with her numerous colleges and institutions of learning, has 17 students in Michigan University; and eight of the former slave-holding States have also representatives there.

Your committee are satisfied that the University cannot maintain its present high character, position, and reputation, without an increased expenditure. At present it has neither large revenues from tuition, nor liberal endowments for the support of its faculty, and for other appurtenances necessary for its existence.

Its revenue receipts are really as follows:

Interest on Trust fund.....	\$29,941 01
"    Part paid lands.....	8,054 60
"    Reserve Fund.....	1,614 00
State appropriation.....	15,000 00
Students' fees and diplomas.....	21,000 00
Sundry sources.....	750 00
<hr/>	
Total.....	\$76,359 61
While the expenditures are about.....	92,000 00
<hr/>	

Leaving a yearly deficiency of.....\$15,640 39

This deficiency must, in some way, be provided for, and the University has only one source to look to for its revenue, and no hopes of getting it from any other than the State.

More than this, your committee believes that unless the

State provides increased aid so as to place and establish the University upon a reliable and firm financial basis, the number of its students will inevitably decrease, the efficiency of its faculty diminish, the standard of its education fall, and its present enviable reputation materially suffer and finally wane.

The University aims to develop every man's capacity to the utmost degree, and, to do this, furnishes without charge of tuition, to all persons of either sex having proper qualifications and seeking admission, the most ample facilities for a liberal education in literature, science, and the arts, and for a thorough and extended professional study in medicine and law. But for the University to do this, it is necessary that its faculty and teachers should be men of experience and ability, men endowed with wisdom and culture, and a peculiar faculty of imparting and instilling the same in the minds of the pupils. Such men can be secured and retained only upon the payment in return of a fair and equitable compensation for their services. President Angell well sustains the reputation he won in New England at the head of a similar institution of learning. But we know not how long we may be able to retain him without a more equitable return for his services. Through insufficiency of salary the University has lost, and is losing continually, some of its best men. Among those that, during the last few years, have accepted other places with increased salaries are Dr. E. O. Haven, Prof. Wood, Prof. Winchell, Prof. Tyler, Prof. Boise, and others.

Your committee would most earnestly call the attention of the House to this fact, and ask your serious consideration of the propriety of longer allowing this cause to exist. In closing this report your committee wish to present the following comparison, which will show at once our disadvantage over the best Universities in the New England States:

The economy with which the University is carried on is remarkable, as compared with other institutions which are

admitted to be honestly and prudently managed. The expenses of the Michigan University, for 1,200 students, are about \$100,000 a year. Yale College, for 800 students, spends about \$200,000 a year. Harvard University, with 1,100 students, spends \$365,000 a year. Harvard Law School, with 134 students, costs \$28,000 a year; our University Law School, with 334 students, costs \$5,600 a year.

To be more explicit, the annual average cost at Yale, for carrying out her course of instruction, is \$250 for each of her students; Harvard, \$332 each; Michigan University, \$83 each.

It costs the Harvard Law School annually, for each of her students, \$209; Michigan University, \$17.

The Medical School of Harvard College costs three times as much as that of Michigan University; and the Library of Harvard College costs \$22,000 a year, while that of our University costs only \$3,000. The laboratory of the University is maintained by the small margin charged for supplies furnished at retail over what they cost at wholesale,—a most remarkable exercise of economy.

The University is laboring under this pecuniary disadvantage, and it is with the desire to relieve it from many embarrassments that the committee ask for the passage of Senate bill No. 11, entitled

A bill to extend aid to the University of Michigan, and to repeal an act entitled “An act to extend aid to the University of Michigan,” approved March 15th, 1867, being sections 3506 and 3507 of the compiled laws of 1871,

H. F. THOMAS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Grant,

The report was agreed to.

## MESSAGES FROM THE GOVERNOR.

The Speaker also announced the following:

EXECUTIVE OFFICE, }  
*Lansing, February 14, 1873.* }

*To the House of Representatives :*

I have this day signed, approved, and deposited in the office of the Secretary of State,

An act to legalize the tax roll of the village of Vernon, in the county of Shiawassee, for the year 1871, and to extend the time for the collection of the taxes therein.

JOHN J. BAGLEY.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, February 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 32, entitled

A bill to amend an act entitled “An act to authorize the formation of telegraph companies,” approved March 26, 1851, being chapter 80 of the compiled laws of 1871, by adding thereto a new section, to be section number 22 of said act ;

And to inform the House that the Senate has amended the same by inserting after the word “stockholders,” in line 2 of recited section 22, the words “in value.”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Shaw moved that the House concur in the amendments made to the bill by the Senate.

Which motion prevailed, by yeas and nays, as follows :

## YEAS.

Mr. Armstrong,	Mr. Green,	Mr. Rich,
Bailey,	Greusel,	Ripley,
Bartholomew,	Haire,	Robinson,
Blackman,	Harris,	Robertson,
Bonine,	Haywood,	Rose,
Bottomley,	Hertzler,	Scott,
Breitung,	Hewitt,	Sessions,
Briggs,	Hoar,	Shaw,
Brunson,	Hosner,	Simpson,
Buell,	Hoyt,	Speed,
Burns,	Kellogg,	Striker,
Carter,	Kipp,	Thomas,
Chafey,	Knapp,	Thompson,
Chamberlain,	Lamb,	Van Aken,
Cobb,	Lewis,	A. Walker,
Cook,	Lockwood,	B. Walker,
Curtis,	Luce,	J. Walker,
Dinturff,	Markey,	L. Walker,
Drake,	E. R. Miller,	Walton,
Drew,	R. C. Miller,	Warren,
Edwards,	Mitchell,	E. C. Watkins,
Fancher,	Morse,	Welch,
Ferguson,	Noyes,	Welker,
Fey,	O'Dell,	West,
Garfield,	Parsons,	Wheeler,
Garvelink,	Perry,	Withington,
Gilmore,	Pierce,	Wixson,
Goodrich,	Priest,	Zimmerman,
Gordon,	Remer,	Speaker,
Grant,		

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## NAYS.

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The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing. February 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :



Senate bill No. 26, entitled

A bill to provide for the disinterment of dead bodies in certain cases, for the purpose of holding inquests thereon ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on public health.

The Speaker also announced the following :

SENATE CHAMBER,  
*Lansing, February 18, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill, entitled

A bill to extend the time for the collection of taxes in the several wards of the city of Niles, in the county of Berrien, for the year 1872 ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and,

On motion of Mr. Bonine,

The rule requiring the second and third reading of bills to be on different days was suspended, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority

of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rich,
Bailey,	Greusel,	Ripley,
Bartholomew,	Haire,	Robinson,
Bonine,	Harris,	Rose,
Bottomley,	Haywood,	Sessions,
Breitung,	Hertzler,	Shaw,
Briggs,	Hewitt,	Simpson,
Brunson,	Hoar,	Smith,
Burns,	Hoyt,	Speed,
Carter,	Kellogg,	Striker,
Chamberlain,	Kipp,	Thompson,
Cobb,	Knapp,	A. Walker,
Cook,	Lamb,	B. Walker,
Curtis,	Lewis,	J. Walker,
Dinturff,	Luce,	L. Walker,
Drake,	Markey,	Walton,
Drew,	E. R. Miller,	Warren,
Edwards,	Mitchell,	E. C. Watkins,
Fancher,	Morse,	Welch,
Ferguson,	Noyes,	Welker,
Fey,	O'Dell,	West,
Garfield,	Parsons,	Wheeler,
Garvelink,	Perry,	Withington,
Gilmore,	Pierce,	Wixson,
Goodrich,	Priest,	Zimmerman,
Gordon,	Remer,	Speaker,
Grant,		

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## NAYS.

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Title agreed to.

On motion of Mr. Bonine,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr Rose offered the following:

*Resolved*, That when this House take a recess for dinner to-day, it be till the hour of 7:30 o'clock this evening;

Which was adopted.

Mr. Bottomley, by unanimous consent, moved to discharge the committee of the whole from the further consideration of House bill No. 121, entitled

A bill to incorporate the village of Capac.

Which motion prevailed,

On motion of Mr. Bottomley,

The bill was placed on the order of third reading.

#### INTRODUCTION OF BILLS.

Mr. Bartholomew, previous notice not having been given, asked leave to introduce

A bill to provide for the distribution of the laws regulating general elections and the registration of voters.

The bill was read a first and second time by its title, and referred to the committee on elections.

Mr. Bartholomew, previous notice not having been given, asked leave to introduce

A bill to amend sections 19 and 35 of an act to provide for holding general and special elections.

The bill was read a first and second time by its title, and referred to the committee on elections.

Mr Chamberlain, previous notice not having been given, asked leave to introduce

A bill relative to the imprisonment, discipline, and detention of boys committed to the Reform School.

The bill was read a first and second time by its title, and referred to the committee on Reform School.

Mr. Knapp, previous notice not having been given, asked leave to introduce

A bill to provide for the formation of school district No. 8 in the township of White Lake, in Oakland county, and State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Knapp, previous notice not having been given, asked leave to introduce

A bill to amend section 71 of chapter 136 of the compiled laws of 1871, relating to the formation of school districts, and being section 3641 of compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Bartholomew, previous notice not having been given, asked leave to introduce

A bill to amend an act to revise the charter of the city of Lansing, approved Feb. 3, 1869.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Robertson, previous notice not having been given asked leave to introduce

A bill to amend section thirty-nine (39) of chapter one hundred and seventy-seven (177) of the compiled laws of 1871, relative to probate courts.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Robertson, previous notice not having been given, asked leave to introduce

A bill to provide for the deposit and disposition of the shares of absent heirs, on the final settlement of the estates of deceased persons.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. O'Dell, previous notice not having been given, asked leave to introduce

A bill to amend section 124 of chapter 178 of the compiled laws of 1871, being compilers section 5372, relating to transferring suits from one justice of the peace to another of the same or adjoining townships.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Zimmerman, previous notice not having been given, asked leave to introduce

A bill providing for the payment of certain ditch or drainage orders.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Walton, previous notice not having been given, asked leave to introduce

A bill to amend section 12 of an act to provide for the drainage of swamps, marshes, and other low lands, approved March 22, 1869, being section 1756 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on drainage.

Mr. Walton, previous notice not having been given, asked leave to introduce

A bill relative to jail records and reports.

The bill was read a first and second time by its title, and referred to the committee on State Prison.

Mr. Van Aken, previous notice not having been given, asked leave to introduce

A bill to amend sections 35 and 36, chapter 215, relative to certain liens upon personal property, being sections 6823 and 6825, compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Thompson, previous notice not having been given, asked leave to introduce

A bill to provide that all legal notices and advertisements shall be published in English and newspapers printed in the English language.

The bill was read a first and second time by its title, and referred to the committee on printing.

Mr. Fancher, previous notice not having been given, asked leave to introduce

A bill to detach surveyed townships Nos. 19 and 20 north, of range 2 west, from the township of Gladwin, in the county of Gladwin, and attach the same to the township of Grout.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Chamberlain, previous notice not having been given, asked leave to introduce

A bill to provide for keeping more complete accounts in the educational, charitable, and penal institutions of this State ;

The bill was read a first and second time by its title, and referred to the committee on Reform School and State Prison, jointly.

Mr. Chamberlain, previous notice not having been given, asked leave to introduce

A bill to amend sections 10 and 12 of an act to establish a house of correction for juvenile offenders, approved February 10, 1855. as amended by act 130 of the laws of 1867, being sections 8135 and 8137 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on Reform School.

Mr. Blackman, previous notice not having been given, asked leave to introduce

Joint resolution authorizing the Board of State Auditors to settle with the several reporters of the Supreme Court, and to collect the amounts due from them to the State.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Parsons, previous notice not having been given, asked leave to introduce

A bill to establish a State reformatory.

The bill was read a first and second time by its title, and referred to the committee on State Prison and Reform School, jointly.

Mr. Striker, previous notice not having been given, asked leave to introduce

A bill to change the names of the persons therein named.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Scott, previous notice not having been given, asked leave to introduce

A bill to amend sections 3 and 4 of an act to provide for the division of the township of Plymouth, Wayne county, into

two election districts for general election purposes, being act number 455 of session laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on elections.

Mr. O'Dell, previous notice not having been given, asked leave to introduce

A bill to amend sections 2, 3, 4, 5, 6, 7, 8, and 9 of chapter 24 of the compiled laws of 1871, being compiler's sections, 1217, 1218, 1219, 1220, 1221, 1222, 1223, and 1224, relating to the assessment of highway taxes.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Parsons, previous notice not having been given, asked leave to introduce

A bill to legalize the tax roll of the village of Mendon, for the year one thousand eight hundred and seventy-two.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Parsons, previous notice not having been given, asked leave to introduce

A bill making an appropriation for the revision of the penal, or criminal, or other laws of the State relating to the penal and reformatory institutions.

The bill was read a first and second time by its title, and referred to the committees on State Prison and Reform School jointly.

Mr. Parsons, previous notice not having been given, asked leave to introduce

A bill for the relief of Henry Gilbert.

The bill was read a first and second time by its title, and referred to the committee on State Prison.

Mr. Parsons, previous notice not having been given, asked leave to introduce

A bill to compel railroad corporations to construct their main track next to and contiguous to their passenger house.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Edwards, previous notice not having been given, asked leave to introduce

A bill to amend act No. 152 of the session laws of 1869, entitled "An act to authorize the incorporation of building and savings associations, under the provisions of chapter 56 of the compiled laws, and the acts amendatory thereof," approved April 5, 1869, being chapter 93 of the compiled laws of 1871, by adding one new section thereto, to stand as section 8.

The bill was read a first and second time by its title, and referred to the committee on private corporations.

Mr. Smith, previous notice not having been given, asked leave to introduce

A bill to authorize two or more counties to associate in the establishment of a poor-house.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Smith, previous notice not having been given, asked leave to introduce

A bill to provide for uniform records in the poor-houses of this State.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Robinson, previous notice not having been given, asked leave to introduce

A bill to change the boundaries of certain school districts in the townships of Clarence and Sheridan, in the county of Calhoun.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

A bill to provide for the payment of bounty to certain soldiers who enlisted in Michigan regiments during the years



1861, 1862, 1863, 1864, and 1865, and to widows, children, and dependent parents of deceased soldiers.

The bill was read a first and second time by its title, and was referred to the committee on military affairs.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

A bill to provide for the payment of expenses of circuit judges while discharging the duties of their respective offices.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Fey, previous notice having been given, and leave being granted, introduced

A bill to amend an act entitled "An act to incorporate the city of East Saginaw," approved February 15th, 1859, as amended by act No. 56 of the session laws of 1861, and act No. 79 of the session laws of 1865, approved March 1, 1865, and act No. 391 of the session laws of 1867, approved March 27, 1867, and act No. 284 of the session laws of 1869, approved March 16, 1869, and act No. 262 of the session laws of 1871, approved April 12, 1871, and act No. 38 of the session laws of 1872, approved March 29, 1872.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. B. Walker, previous notice not having been given, asked leave to introduce

A bill to legalize the action of the joint boards of the school inspectors of the townships of Owosso, Bennington, and Caledonia, in detaching certain territory from the union school district of Owosso, fractional with Caledonia, and attaching a portion to fractional school district No. 2, of Owosso, fractional with Bennington, and a portion to school district No. 1, fraction of the townships of Owosso, Caledonia, Bennington, and Shiawassee.

The bill was read a first and second time by its title, and,

On motion of Mr. B. Walker,

The bill was laid on the table.

Mr. Luce, previous notice not having been given, asked leave to introduce

A bill to define the duties of township school inspectors.

The bill was read a first and second time by its title, and,

On motion of Mr. Luce,

The bill was laid on the table.

Mr. Luce, previous notice not having been given, asked leave to introduce

A bill to repeal section 107 of chapter 136 of compiled laws of 1871, relative to the assessment of a two-mill tax.

The bill was read a first and second time by its title, and

On motion of Mr. Luce,

The bill was laid on the table.

Mr. Hoar, previous notice not having been given, asked leave to introduce

A bill for the levy of a specific tax on copper.

The bill was read a first and second time by its title, and referred to the committee on mines and minerals.

Mr. Fancher, previous notice having been given, and leave being granted, introduced

A bill to amend the charter of the village of Midland City.

The bill was read a first and second time by its title, and,

On motion of Mr. Fancher,

The bill was laid on the table.

Mr. Wheeler, previous notice not having been given, asked leave to introduce

A bill to incorporate the city of Pentwater, in the county of Oceana.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Gilmore, previous notice not having been given, asked leave to introduce

A bill to legalize the assessment roll of the township of Ogden, in the county of Lenawee, for the years 1871 and 1872.

The bill was read a first and second time by its title, and referred to the committee on local taxation.

Mr. Gilmore, previous notice not having been given, asked leave to introduce

A bill to appropriate 10 sections of State swamp land to aid the completion of the Cottonwood Swamp Turnpike Road Ditch.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Gilmore, previous notice not having been given, asked leave to introduce

A bill to authorize the employees of railroad companies to cut decayed or dangerous trees standing within a certain distance of either side of their track.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. B. Walker, previous notice having been given and leave being granted, introduced

A bill for the amendment of an act for the incorporation of the village of Laingsburg, in the county of Shiawassee, approved April 8, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Shaw, previous notice having been given and leave being granted, introduced

A bill to amend the third subdivision of section 8, also 63 of an act entitled "An act to incorporate the city of Charlotte," approved March 29, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill to detach from the township of Delhi, Ingham county, portions of sections 30 and 31, lying west of Grand River, and attach the same to the township of Windsor, Eaton county, and to change the county line so as to make the channel of Grand river its boundary.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Gilmore, previous notice not having been given, asked leave to introduce

Joint resolution proposing an amendment to section 3 of article 4 of the constitution of the State, relative to the House of Representatives, and the mode of electing members thereto.

The joint resolution was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Walton, previous notice not having been given, asked leave to introduce

A bill to provide for the erection and maintenance of a hospital in connection with the department of medicine and surgery in the University of Michigan at Ann Arbor.

The bill was read a first and second time by its title, and referred to the committee on ways and means, and education, jointly.

Mr. Walton, previous notice not having been given, asked leave to introduce

A bill to exempt the county of Lenawee from the action of "An act to provide for county superintendents of schools," being sections 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3763, 3764, 3765, 3766, 3767, 3768, 4769, 3770, 3771, and 3772 of chapter 139 of the compiled laws of 1871.

The bill was read a first and second time by its title, and,

On motion of Mr. Walton,

The bill was laid on the table.

Mr. Scott, previous notice not having been given, asked leave to introduce

A bill to abolish the office of county superintendent of schools in Wayne county.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Withington, previous notice not having been given, asked leave to introduce

A bill to amend section 5285, chapter 178 of the compiled laws of 1871, entitled "Courts held by justices of the peace."

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Withington, previous notice not having been given, asked leave to introduce

A bill to protect certain fish in the waters of Jackson county.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Withington, previous notice having been given, and leave being granted, introduced

A bill to revise and amend the charter of the city of Jackson.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill in relation to private bankers and brokers.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Speed, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to revise the charter of the city of Detroit," approved February 5, 1857, as amended by the acts amendatory thereof.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act relative to free schools in the city of Detroit," approved February 24, 1869.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Speed, previous notice having been given and leave being granted, introduced

A bill to enlarge the corporate limits of the city of Detroit, and to create additional wards in said city.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Bailey, previous notice having been given and leave granted, introduced

A bill to amend section 9, article 6, section 1, article 10, section 1, article 14, section 1, article 20 of act number 233, session laws 1871, entitled "An act to incorporate the village of Vernon," approved March 18, 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Hoar, previous notice having been given and leave being granted, introduced

A bill to incorporate the village of L'Anse, in the county of Houghton.

The bill was read a first and second time by its title, and referred to the committee on municipal incorporations.

Mr. Grant, previous notice not having been given, asked leave to introduce

A bill relative to the payment of taxes.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

Mr. Grant, previous notice not having been given, asked leave to introduce

A bill to prohibit railroads from doing business upon the first day of the week.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Grant, previous notice not having been given, asked leave to introduce

A bill to amend sections 19 and 29 of an act entitled "An act to provide for the sale of real estate on execution," the same being sections 4646 and 4656, chapter 165 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Lewis, previous notice not having been given, asked leave to introduce

A bill to detach certain territory from the township of Portsmouth and attach the same to the township of Merritt, in Bay county.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Lewis, previous notice having been given and leave being granted, asked leave to introduce

A bill to amend certain sections of an act entitled "An act to organize union school district of Bay City," approved March 20, 1867.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Lockwood, previous notice having been given and leave being granted, introduced

A bill to amend sections 14, 24, 57, and 84, of an act entitled "An act to incorporate the City of Alpena," approved March 29, 1871, being act number 249 of the session laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Cobb, previous notice having been given and leave being granted, introduced

A bill to incorporate the city of Kalamazoo.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Simpson, previous notice having been given and leave being granted, introduced

A bill to incorporate the city of Bangor, in Van Buren county.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

**Mr. Lamb, previous notice having been given and leave being granted, introduced**

**A bill to incorporate the city of Imlay, in Lapeer county.**

**The bill was read a first and second time by its title, and referred to the committee on municipal corporations.**

**Mr. Lamb, previous notice having been given and leave being granted, introduced**

**A bill to incorporate the village of Imlay City, in Lapeer county.**

**The bill was read a first and second time by its title, and referred to the committee on municipal corporations.**

**Mr. Kipp, previous notice not having been given, asked leave to introduce**

**A bill to change the name of David K. Tupper and Artie Tupper to Kinney Williams and Artie Williams.**

**The bill was read a first and second time by its title, and referred to the committee on State affairs.**

**Mr. Haywood, previous notice not having been given, asked leave to introduce**

**Joint resolution for the relief of Charles Dutcher.**

**The joint resolution was read a first and second time by its title, and referred to the committee on judiciary.**

**Mr. Priest, previous notice not having been given, asked leave to introduce**

**A bill to authorize the Detroit & Prairie Mound Plank Road Company to collect the same tolls as are charged by the Hamtramck & Warren plank road associations, and to provide for the discontinuance of part of its road when paved.**

**The bill was read a first and second time by its title, and referred to the committee on roads and bridges.**

**Mr. Speed, previous notice not having been given, asked leave to introduce**

**A bill to establish a board of public works in and for the city of Detroit.**

**The bill was read a first and second time by its title, and referred to the committee on municipal corporations.**



Mr. Lockwood, previous notice not having been given, asked leave to introduce

A bill to enable the Thunder Bay River Boom Company to acquire title to lands and river frontage on the Thunder Bay river, for the use of said company.

The bill was read a first and second time by its title, and referred to the committee on lumber and salt interests.

Mr. Morse, previous notice not having been given, asked leave to introduce

A bill to legalize bounties to certain volunteers credited to Elba, Gratiot county, and to provide for the payment of the same.

The bill was read a first and second time by its title, and,

On motion of Mr. Morse,

The bill was laid on the table.

Mr. Van Aken, previous notice not having been given, asked leave to introduce

A bill to exempt the county of Branch from the action of an act to provide for county superintendent of schools, being sections 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3770, 3771, and 3772, chapter 391 compiled laws of 1871.

The bill was read a first and second time by its title, and

On motion of Mr. Van Aken,

The bill was laid on the table.

Mr. E. C. Watkins, previous notice not having been given, asked leave to introduce.

A bill to compel railroad companies to construct suitable highway and street crossings.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Dinturff, previous notice having been given and leave being granted, introduced

A bill to amend an act entitled "An act to re-incorporate the village of Fowlerville, Livingston county, and to define the boundaries thereof," approved April 15, 1871;

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Chamberlain, previous notice not having been given, asked leave to introduce

A bill to incorporate the city of St. Joseph, and reorganize the township of St. Joseph in the county of Berrien, State of Michigan ;

The bill was read a first and second time by its title, and,

On motion of Mr. Chamberlain,

The bill was laid on the table.

Mr. Chamberlain, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act to incorporate the village of St. Joseph," approved March 7, 1834, and the acts amendatory thereto ;

The bill was read a first and second time by its title, and

On motion of Mr. Chamberlain,

The bill was laid on the table.

Mr. Chamberlain, previous notice not having been given, asked leave to introduce .

A bill to amend an act entitled "An act prescribing the duties of county surveyors," being act 140 of the session laws of 1869, approved April 3, 1869, being section 103 of chapter 10 of the compiled laws of 1871.

The bill was read a first and second time by its title, and,

On motion of Mr. Chamberlain,

The bill was laid on the table.

Mr. Blackman, previous notice not having been given, asked leave to introduce

A bill to amend sections 4 and 9 of chapter 139, being sections 3759 and 3764 of the compiled laws of 1871, relative to the duties of county superintendents of schools.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Blackman, previous notice not having been given, asked leave to introduce

A bill to revise the charter of the village of Decatur, being an act entitled "An act to incorporate the village of Decatur," approved March 16, 1861.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Drew, previous notice not having been given, asked leave to introduce

Joint resolution for the relief of Edward Murphy, now a pauper in Jackson county poor-house.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Buell, previous notice not having been given, asked leave to introduce

A bill to define a legal day's work.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Buell, previous notice having been given and leave being granted, introduced

A bill to lay out and provide for the construction of a State road from Cedar Forks, in Menominee county, northerly to the Chicago & Northwestern Railway.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Buell, previous notice not having been given, asked leave to introduce

A bill authorizing and empowering the Board of Control of State Lands to make an appropriation of State swamp lands to aid in the construction of a railroad from the Straits of Mackinaw to Marquette harbor, on Lake Superior.

The bill was read a first and second time by its title, and referred to the committees on railroads and public lands jointly.

Mr. John Walker, previous notice having been given and leave being granted, introduced

A bill to repeal section 93 of chapter 18 of the compiled

laws of 1871, being an act entitled "An act for the reorganization of the military forces of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Burns, previous notice having been given and leave being granted, introduced

A bill to revise the charter of the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Welker, previous notice not having been given, asked leave to introduce

A bill to prevent hunting for game with firearms, dogs, or otherwise, on any enclosed lands or premises in this State, without the consent of the owner of such land or premises.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Smith, previous notice having been given, and leave being granted, introduced

A bill to amend section 43 of an act entitled "An act to revise the charter of the village of Hudson," approved February 27, 1867.

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

Mr. Smith, previous notice not having been given, asked leave to introduce

A bill to change the name of John Humphrey to John H. Graham.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Perry, previous notice not having been given, asked leave to introduce

A bill to change the name of Kittie A. Spencer to Kittie A. Morrison, and constitute her heir-at-law of Ralph G. Morrison and Unis S. Morrison.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Perry, previous notice not having been given, asked leave to introduce

A bill to change the name of George W. Davis to George W. Dernberger.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Perry, previous notice not having been given, asked leave to introduce

Joint resolution providing for the proper fencing of the Port Huron & Lake Michigan railroad, and securing certain depot conveniences to the citizens of Capao.

The joint resolution was read a first and second time by its title, and referred to the select committee on Port Huron & Lake Michigan and Grand Trunk railroads.

Mr. Perry, previous notice not having been given, asked leave to introduce

Joint resolution securing to the people of Detroit and other citizens of Michigan, better facilities for shipping freight east.

The joint resolution was read a first and second time by its title, and referred to the select committee on Port Huron & Lake Michigan and Grand Trunk railroads.

Mr. Grant, unanimous consent being given, introduced

A bill to authorize the city of Ann Arbor to borrow money for the purpose of erecting a court house in said city, and to issue its bonds for the payment of the same.

The bill was read a first and second time by its title, and,

On motion of Mr. Grant,

The rule requiring the second and third reading of bills to be on different days was suspended, and the bill was put upon its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,  
Blackman,  
Bonine,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Burns,  
Caplis,  
Carter,  
Chasey,  
Chamberlain,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,

Mr. Goodrich,  
Gordon,  
Grant,  
Green,  
Greusel,  
Haire,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,  
Morse,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Priest,

Mr. Remer,  
Rich,  
Robinson,  
Robertson,  
Rose,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thompson,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren.  
E. C. Watkins,  
Welch,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,

80

## NAYS.

Mr. Buell,  
Hoyt,

Mr. Noyes,

Mr. Welker,

4

Title agreed to.

On motion of Mr. Grant,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills:

House manuscript bill entitled

A bill to amend sections 2, 12, and 27 of an act entitled "An

act to incorporate the village of Paw Paw," approved March 28, 1867;

House bill No. 23, entitled

A bill to legalize the assessment roll of the township of Henderson, in the county of Wexford, for the year eighteen hundred and seventy-two ;

House bill No. 22, entitled

A bill to legalize the assessment roll of the township of Cherry Grove in the county of Wexford, for the year 1872 ;

S. H. BLACKMAN, *Chairman*.

Mr. Rose moved that the House take up the order of

UNFINISHED BUSINESS.

Which motion did not prevail.

Mr. Caplis moved to discharge the committee on public lands from the further consideration of a bill entitled

A bill to grant 25,000 acres of swamp lands to the Detroit Medical College ;

Which motion prevailed.

By the committee on public lands:

The committee on public lands, to whom was referred

A bill to grant 25,000 acres of swamp lands to the Detroit Medical College,

Respectfully report the same back to the House in accordance with their order.

WILLIAM SESSIONS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Caplis,

The bill was referred to the committee on public health.

Mr. Scott moved that the House adjourn ;

Which motion did not prevail.

On motion of Mr. Welker,

The House took a recess until 7½ o'clock this evening.

## EVENING SESSION.

7:30 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

The House resumed the order of

## INTRODUCTION OF BILLS.

Mr. Remer, previous notice not having been given, asked leave to introduce

A bill to regulate the loading of railway cars, and to punish false and fraudulent billing of the same.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. John Walker, previous notice not having been given, asked leave to introduce

A bill to exempt the county of Kalamazoo from the provisions of an act to provide for county superintendent of schools, being sections 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3770, 3771, and 3772, of chapter 139 of the compiled laws of 1871.

The bill was read a first and second time by its title, and,

On motion of Mr. J. Walker,

The bill was laid on the table.

Mr. Bonine, previous notice not having been given, asked leave to introduce

A bill to prevent fishing with spears in any of the inland waters of the State during certain months.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Welker, previous notice not having been given, asked leave to introduce

A bill to prevent the sale of spirituous and intoxicating drinks as a beverage, the same being a new section to chapter 69 of the compiled laws of 1871, being an act relative to "the manufacture and sale of intoxicating drinks as a beverage," to stand as section 22.



The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hoyt, previous notice not having been given, asked leave to introduce

Joint resolution authorizing and instructing the Auditor General to credit up to the several counties the amounts due them for State swamp land sold under the provisions of an act entitled "An act to provide for the sale of the swamp lands, and the reclamation thereof, and to secure the pre-emption claims of settlers thereon," approved February 4, 1858, and to authorize and instruct the State Treasurer, on the warrant of the Auditor General, to pay over to the boards of supervisors of said counties the amount due to said counties as interest, in accordance with the provisions of said act.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Hoyt,

The joint resolution was laid on the table.

The committee on public lands, by unanimous consent, reported as follows :

The committee on public lands, having had under consideration such portions of the Governor's message as relates to the lands of the State, have the honor to report,

That they do not think it advisable at this late day to provide for an examination and appraisement of State swamp lands.

In connection with that portion of the message relating to lands donated to the State by act of Congress, July 2, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts, your committee have to state that they will submit two bills, embracing amendments, which are designed to protect the State in the disposition of such lands :

A bill to amend an act entitled "An act to provide for the selection, care, and disposition of the lands donated to the State of Michigan by act of Congress," approved July 2, 1862,

for the endowment of colleges for the benefit of agriculture and mechanic arts, approved March 18, 1863.

Also,

A bill to amend section 4 of "An act to provide for the settlement and drainage of swamp lands by actual settlers," approved February 15, 1859, being section 3981 of the compiled laws of 1871.

Recognizing the importance of the suggestions of his excellency relative to an increased cash payment at the time of the sale of school and university lands, your committee will introduce a bill designed to meet their suggestions, as follows:

A bill to amend sections two and seven of chapter 144, being sections 3818 and 3823 of the compiled laws of 1871, relative to the terms of payment of University and school lands.

WM. SESSIONS, *Chairman.*

Report accepted and committee discharged.

The several bills were read a first and second time by their titles, ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Lockwood, previous notice not having been given, asked leave to introduce

A bill to legalize the proceedings had in the townships of Grant and Tawas, in Iosco county, in aiding in the construction of the Tawas and Grant plank road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Lewis, previous notice not having been given, asked leave to introduce

A bill empowering the Stone Island Bridge Company to construct a bridge.

The bill was read a first and second time by its title, and,

On motion of Mr. Lewis,

The bill was laid on the table.

Mr. Withington, previous notice not having been given, asked leave to introduce

A bill to provide for the improvement of Grand River within a portion of the county of Jackson.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Warren, previous notice not having been given, asked leave to introduce

A bill to provide for a State board of appeal and examination of teachers for State certificates.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Bartholomew, previous notice not having been given, asked leave to introduce.

A joint resolution for the relief of George Krouse.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

A bill to amend section 18 of chapter 178, being section 5266 of compiled laws of 1871, relative to justice's courts.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

A bill to amend section 2 of chapter 201, being section 6398 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

A bill to detach the township of Cleon from the county of Manistee and attach the same to the county of Wexford.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

A joint resolution relative to the distribution of the laws, journals, documents, and joint documents of the session of the Legislature of the year A. D. 1873 ;

The joint resolution was read a first and second time by its title, and referred to the committee on printing.

Mr. Ferguson, previous notice not having been given, asked leave to introduce

A bill to authorize the board of supervisors of the county of Kalkaska to submit to the vote of the people of said county the question whether certain territory shall be detached from the county of Kalkaska and attached to the county of Antrim.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Lockwood, previous notice not having been given, asked leave to introduce

A bill to organize union school district No. 2 of the township of Rogers in the county of Presque Isle.

The bill was read a first and second time by its title, and,

On motion of Mr. Lockwood,

The bill was laid on the table.

Mr. Dinturff, previous notice not having been given, asked leave to introduce

A bill to abolish the office of county superintendent of schools in Livingston county.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Warren, previous notice not having been given, asked leave to introduce

A bill to amend section 81, chapter 136, being section 3650 of the compiled laws of 1871, relating to primary schools.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Grant, previous notice not having being given, asked leave to introduce

A joint resolution for the payment of printing done by R. A. Beal.

The joint resolution was read a first and second time by its title, and referred to the committee on printing.

Mr. Haire, previous notice not having been given, asked leave to introduce

A bill to repeal an act entitled "An act to legalize the organization of union school district No. 1, of Wyoming and Georgetown, in the counties of Kent and Ottawa, in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Grant, previous notice not having been given, asked leave to introduce

A joint resolution authorizing the payment of the heirs of Darius Clark for services performed by him as agent of the State of Michigan in the city of New York during the late rebellion.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Lamb, previous notice not having been given, asked leave to introduce

A joint resolution granting the privilege of the elective franchise to the women of this State.

The joint resolution was read a first and second time by its title, and referred to the committee on elections.

Mr. Bartholomew, previous notice not having been given, asked leave to introduce

A bill to make void the sale of State lands in certain cases.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Bartholomew, previous notice not having been given, asked leave to introduce

A bill to punish the illegal sale of State lands.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Benjamin Walker, previous notice not having been given, asked leave to introduce

A bill to repeal chapter 139 of the compiled laws of 1871, being "An act providing for county superintendents of schools," and repealing certain sections of chapter 78 of the compiled laws of 1857, and to re-enact sections 74, 85, 86, 87, 88, 89, and 90 of said chapter 78 of the compiled laws of 1857, being blank sections 74, 85, 86, 87, 88, 89, and 90 of chapter 136 of the compiled laws of 1871, which sections were repealed by the act hereby repealed.

The bill was read a first and second time by its title, and,

On motion of Mr. B. Walker,

The bill was laid on the table.

Mr. Robinson, previous notice not having been given, asked leave to introduce

A bill to amend act No. 334 of the session laws of 1869, in relation to certain modes of fishing, so as to include Duck Lake, Prairie Lake, and the lakes known as Gang of Lakes, in Calhoun county.

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Rose, previous notice not having been given, asked leave to introduce

A joint resolution relative to the acceptance by the Governor—as completed—of new or additional sections of the Grand Rapids & Indiana Railroad.

The joint resolution was read a first and second time by its title, and referred to the committee on railroads.

Mr. Rose, previous notice not having been given, asked leave to introduce

A bill requiring railroad companies to post up in each waiting room of their passenger depots, a list or table showing the amount of fare from the commencement of the road to all the regular stations thereon.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Rose, previous notice not having been given, asked leave to introduce

A joint resolution for the relief of Delos A. Blodgett.

The joint resolution was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Rose, previous notice not having been given, asked leave to introduce

A bill to regulate the rates to be charged by railroad companies for the transportation of passengers and freight.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Rose, previous notice not having been given, asked leave to introduce

A bill to revise and amend an act entitled "An act to encourage the erection and support of water-power manufactories," approved March 21, 1865, the same being chapter 221 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Rose, previous notice not having been given, asked leave to introduce

A bill to amend chapter 50 of the compiled laws of 1871, the same being the chapter relating to the support of poor persons by the public, by adding a new section thereto, to stand as section 56 of the chapter.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Rose, previous notice not having been given, asked leave to introduce

A bill to provide for the assessment and taxation of lands known as "railroad lands."

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Rich, previous notice not having been given, asked leave to introduce

A bill to amend section 45 of chapter 46, being section 1736 of the compiled laws of 1871, relative to small-pox and other dangerous diseases.

The bill was read a first and second time by its title, and referred to the committee on public health.

Mr. Smith, previous notice not having been given, asked leave to introduce

A bill to amend sections 5, 6, 7, 8, and 9, chapter 139 of compiled laws of 1871, being compiler's sections 3760, 3761, 3762, 3763, and 3764, of an act entitled "An act to provide for the county superintendent of schools," approved March 13th, 1867, and add new sections thereto.

The bill was read a first and second time by its title, and,

On motion of Mr. Smith,

The bill was laid on the table.

Mr. Bailey, previous notice not having been given, asked leave to introduce

A bill to exempt the county of Shiawassee from the provisions of an act entitled "An act to provide for county superintendents of schools."

The bill was read a first and second time by its title, and,

On motion of Mr. Bailey,

The bill was laid on the table.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill for additional fees to register of deeds.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Shaw, previous notice not having been given, asked leave to introduce

A bill to provide for the propagation, protection, and education of dogs.

The bill was read a first and second time by its title, and referred to the committee on lumber and salt interests.

Mr. Gilmore, previous notice not having been given, asked leave to introduce



A bill to authorize the removal of any cause before a justice of the peace to any other justice in the same township in certain cases.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Gilmore, previous notice not having been given, asked leave to introduce .

A bill to establish a state agency for the care of juvenile offenders and discharged convicts.

The bill was read a first and second time by its title, and referred to the committee on Reform School and State Prison jointly.

Mr. Gilmore, previous notice not having been given, asked leave to introduce

A bill for the better regulation of county jails.

The bill was read a first and second time by its title, and referred to the committee on State Prison.

Mr. Hoyt, previous notice not having been given, asked leave to introduce

A bill to amend sections 1, 4, 5, and 7, of an act to provide for the appointment of a Board of Commissioners for the general supervision of Charitable, Penal, Pauper, and Reformatory Institutions, and defining their duties and powers," approved April 17, 1871, being sections 8191, 8194, 8195, and 8197 of the compiled laws of 1871, and to add three new sections thereto.

The bill was read a first and second time by its title, and referred to the committees on State Prison, Reform School, Asylum for the Insane, and Asylum for the Deaf, Dumb, and the Blind jointly.

Mr. Remer, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled to accept a grant of land by act of Congress to aid in the construction of the ship canal and harbor at the head of Portage Lake, to connect with Lake Superior, and to provide for the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Bottomley, previous notice not having been given, asked leave to introduce

A bill to regulate the letting of State Prison contracts.

The bill was read a first and second time by its title, and referred to the committee on State Prison. .

Mr. Breitung, previous notice not having been given, asked leave to introduce

Joint resolution proposing an amendment to the constitution.

The joint resolution was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Blackman, previous notice not having been given, asked leave to introduce

Joint resolution proposing an amendment to section 1 of article 9 of the constitution of this State, relative to salaries of the judges of the circuit courts ;

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Blackman,

The joint resolution was laid on the table.

Mr. Buell, previous notice not having been given, asked leave to introduce

A bill to compel manufacturing establishments to give their employes one hour for dinner ;

The bill was read a first and second time by its title, and referred to the committee on manufactures.

Mr. Hoar, previous notice not having been given, asked leave to introduce

A bill to provide for the taxation of copper for township purposes.

The bill was read a first and second time and referred to the committee on judiciary.

Mr. Remer, previous notice not having been given, asked leave to introduce

A bill to amend an act entitled "An act to accept a grant of land by act of Congress, to aid in the construction of the ship canal and harbor at the head of Portage Lake, to connect with Lake Superior, and to provide for the construction of the same.

The bill was read a first and second time by its title, and referred to the committee on internal improvements.

Mr. Briggs, previous notice not having been given, asked leave to introduce

A bill to authorize the State Pomological Society to employ an entomologist and to make provision for his salary.

The bill was read a first and second time by its title, and referred to the committee on horticulture.

Mr. Buell, previous notice not having been given, asked leave to introduce a bill to attach certain townships to the county of Schoolcraft.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Welker, previous notice not having been given, asked leave to introduce

A bill to prevent the sale of spirituous and intoxicating drinks as a beverage, the same being a new section to chapter 69 of the compiled laws of 1871, being an act relative to the "Manufacture and sale of spirituous and intoxicating drinks as a beverage," to stand as section 22.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Buell, previous notice not having been given, asked leave to introduce

A bill to prevent injurious encroachments upon the water limits of rivers and harbors in certain cases.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hoyt, previous notice not having been given, asked leave to introduce

A bill to provide for the laying out and constructing of a

State road from North Branch, in Lapeer county, to Caro, in Tuscola county, by way of Kingston in said Tuscola county, and to make an appropriation of non-resident highway taxes therefor.

The bill was read a first and second time by its title, and,

On motion of Mr. Hoyt,

The bill was laid on the table.

Mr. Buell, previous notice not having been given, asked leave to introduce

A bill to change the name of, and define the boundaries of the township of Manistique, in the county of Schoolcraft.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. E. C. Watkins, previous notice not having been given, asked leave to introduce

A bill requiring railroad, mining, and manufacturing corporations to care for persons injured by accidents happening by the working or works of such corporations.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Harris, previous notice not having been given, asked leave to introduce

A bill to lay out and establish the McCargor's Cave and Todd's Harbor State road.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Blackman, previous notice not having been given, asked leave to introduce

A bill to prescribe the size of apple barrels.

The bill was read a first and second time by its title, and referred to the committee on manufactures.

Mr. Haris, previous notice not having been given, asked leave to introduce

A bill to provide for the appointment of an inspector of mines in each of the mining counties of the Upper Peninsula, and to define his duties.

The bill was read a first and second time by its title, and,

On motion of Mr. Harris,

The bill was laid on the table.

Mr. Bartholomew, previous notice not having been given, asked leave to introduce

A joint resolution proposing an amendment to section 1, article 7, of the constitution, in relation to the qualification, of electors.

The joint resolution was read a first and second time by its title, and referred to the committee on elections.

Mr. Drake, previous notice not having been given, asked leave to introduce

A bill authorizing the Hamtramck & Warren plank road company to discontinue a part of their road.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Drake, previous notice not having been given, asked leave to introduce

A bill to authorize Protestant Episcopal Churches, organized under the laws of this State, to alter and amend their articles of agreement.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Gordon, previous notice not having been given, asked leave to introduce

A bill to provide for the publication of a Legislative manual

The bill was read a first and second time by its title, and referred to the committee on printing.

Mr. Simpson, previous notice not having been given, asked leave to introduce

A bill to amend section 65 of chapter 136, being section 3635 of the compiled laws of 1871, relative to the use of school-houses.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr. Kipp, previous notice not having been given, asked leave to introduce

A bill to amend section 54 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," the same being section 1029 in chapter 21 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on ways and means.

The Speaker called Mr. Shaw to the chair.

Mr. Gordon, previous notice not having been given, asked leave to introduce

A bill to amend section 8 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate," approved February 15, 1859, being section 7439 of the compiled laws of 1871.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Curtis, previous notice not having been given, asked leave to introduce

A bill to detach the townships of Pierson, Maple Valley, Reynolds, and Windsor, from the county of Montcalm, and attach the same to the county of Kent.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Morse, previous notice not having been given, asked leave to introduce

A bill to amend sections 2, 4, 5, and 6 of an act entitled "An act to provide for laying out and constructing the Lafayette and Wheeler State road."

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Kipp, previous notice not having been given, asked leave to introduce

A bill to exempt the county of Genesee from the provisions

of an act entitled "An act to provide for county superintendents of schools."

The bill was read a first and second time by its title, and

On motion of Mr. Kipp,

The bill was laid on the table.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to regulate pawnbrokers in cities, and villages and to provide for the organization of associations for carrying on the business of pawnbrokers.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Breitung, previous notice not having been given, asked leave to introduce

A bill to provide for a State road in the county of Marquette.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill to abolish fees of clerk and register of deeds of Wayne county; to provide for the payment of salaries to said officers, and to provide for the payment of certain fees and costs to the county.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Speed, previous notice not having been given, asked leave to introduce

A bill for the limitations of actions relating to real estate in cases by persons absent from the United States.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Breitung, previous notice not having been given, asked leave to introduce

A bill to authorize railroad companies to amend the articles of association in certain cases.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Breitung, previous notice not having been given, asked leave to introduce

A bill relative to the township of Chocoday, in the county of Marquette.

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

Mr. Briggs, previous notice not having been given, asked leave to introduce

A bill to repeal act No. 55 of the session laws of 1867, being chapter 39 of the compiled laws of 1871, and to provide for the organization of county boards of education, and to prescribe the duties of the members thereof.

The bill was read a first and second time by its title, and referred to the committee on education.

Mr Greusel moved that the House adjourn ;

Which motion did not prevail.

The committee on private corporations, by unanimous consent, reported as follows :

The committee on private corporations, to whom was referred

A bill to amend an act number 152 of the session laws of 1869, entitled "An act to authorize the incorporation of building and savings associations under chapter 56 of the compiled laws and the acts amendatory thereof," approved April 5, 1869, being chapter 53 of the compiled laws of 1871, by adding one new section thereto, to stand as section 8,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. CAPLIS, *Acting Chairman.*

Report accepted and committee discharged.



The bill, was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Harris presented the petition of T. B. Denston and 64 other citizens of Keweenaw county, asking for a grant of swamp land to aid in the construction of Mineral Range Railroad ;

Also: Petition of Julius Borie and 48 others, for the same purpose ;

Also: Petition of Alfred Meads and 31 others, for the same purpose :

Also: Petition of F. G. White and 50 others, for the same purpose ;

Referred to the committee on railroads.

Mr. Hoar presented the petition of J. A. Hubbel and 56 other, citizens of Houghton county, asking for a grant of swamp land to aid in the construction of the Mineral Range Railroad ;

Also: Petition of W. H. Hendrick and 64 others, for the same purpose ;

Referred to the committee on railroads.

Mr. Sessions presented the petition of W. A. Sherwood and 108 others, for a pro rata passenger fare on the D. M. Railroad ;

Referred to the committee on railroads.

Mr. Morse presented the petition of Eleazer, J. King, and 25 others, asking further legislation relative to the Lafayette and Wheeler State road ;

Referred to the committee on roads and bridges.

On motion of Mr. Gordon,

The House adjourned.

*Lansing, Thursday, February 20, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Glover.

Roll called: quorum present.

Absent without leave: Messrs. Bonine, Knapp, Scott, West, and Wheeler.

Mr. Burns asked and obtained leave of absence for Mr. Scott for the day.

Mr. Gordon asked and obtained leave of absence for himself until to-morrow.

Mr. Chamberlain asked and obtained leave of absence for Mr. Knapp for the forenoon.

Mr. Chamberlain asked and obtained leave of absence for Mr. Bonine for the forenoon.

Mr. Chamberlain asked and obtained leave of absence for Mr. Wheeler for the forenoon.

Mr. Chamberlain asked and obtained leave of absence for Mr. West until Monday next.

#### PRESENTATION OF PETITIONS.

By Mr. Markey: Remonstrance of Edwin Reeder and 19 others of Springwells, against the extension of the city of Detroit into the township of Springwells;

Also: Remonstrance of M. Schneider and 15 others, for the same purpose;

Also: Remonstrance of E. C. Walker and 15 others, for the same purpose;

Also: Remonstrance of Conrad Clippert and 15 others, for the same purpose;

Also: Remonstrance of John Morse and 15 others, for the same purpose;

Also: Remonstrance of B. M. Davis and 29 others, for the same purpose;

Also: Remonstrance of Joseph Lorrain and 16 others, for the same purpose;

Also: Remonstrance of Bela Hubbard and 16 others, for the same purpose;

Also: Remonstrance of Thomas Clisby and 31 others, for the same purpose;

Also: Remonstrance of Frank Thomas and 27 others, for the same purpose;

Also: Remonstrance of Daniel Sutton and 26 others, for the same purpose;

Also: Remonstrance of Christian Ammon and 28 others, for the same purpose;

Also: Remonstrance of J. T. Clark and 23 others, for the same purpose;

Referred to the committee on municipal corporations.

The following is the remonstrance:

*To the Legislature of the State of Michigan:*

We, the undersigned, citizens of the township of Springwells, respectfully remonstrate against the extension of the western limits of the city of Detroit so as to include any part of said township.

During the last ten years (indeed, ever since the extension of the limits of the said city of Detroit in 1857), there has been but little growth in that part of said township proposed to be annexed to Detroit; that no new manufactures or business enterprises, with but one or two exceptions, have been commenced, and but few dwellings built; that there has been no such increase in population, or business of any kind, as to demand the extension of the said city limits over said territory; that the ninth ward, being that district heretofore annexed to said city, is as yet but sparsely settled, and after fifteen years of city rule has had but few advantages or privileges which a city should give its citizens, except the privilege of paying for an expensive city government for proposed benefits never received; that the ninth ward remains as it was prior to annexation (with but few exceptions), with impassable roads and streets, and without drainage or sewerage, and where a policeman is rarely seen; that if the said territory should be

annexed it would be many years before such benefits would extended to its inhabitants, thus imposing on a district entirely rural the expenses, without the advantages, of a city government; that the proposed extension of the city of Detroit so as to include a portion of the township of Springwells, is against the wishes of the inhabitants of said township; that the proposition to do so is a scheme originating with a few mercenary land speculators, owning lands to the east of said city of Detroit, and who are at the same time plotting to destroy the dearest privileges of a free people, and to deprive them of a right to vote on that most important matter, *taxation*, and forcing upon the tax-payers the onerous burden of a debt of hundreds of thousands of dollars, for the purpose of purchasing and improving lands for a park in the immediate vicinity of those they own, so that their inordinate cupidity may be gratified.

Your petitioners do earnestly pray that your honorable body will protect them from such injustice.

By Mr. Blackman: Petition of D. N. Bunnels and 15 others, for amendments to the prohibitory liquor law;

Also: Petition of L. B. Colman and 8 others, for the same purpose;

Also: Petition of J. S. Tuttle and 9 others, for the same purpose;

Also: Petition of L. P. Mason and 18 others, for the same purpose;

Referred to the committee on State affairs.

By Mr. Grant: Petition of Wm. Clark and Emmons Clark, for the payment to Hattie H. Clark, of compensation for services of her father to the State of Michigan, as agent of the State during the late rebellion;

Referred to committee on military affairs.

The following is the petition:

*To the Honorable, the Legislature of the State of Michigan:*

The petition of the undersigned, William Clark, of the village of Lyons, Wayne county, and State of New York,

and Emmons Clark, of the city of New York, respectfully represents that they were brothers of Darius Clark, who died in the city of New York on the sixth day of December, 1871.

That said Darius Clark was for a long time a resident of Marshall, in the State of Michigan; and a short time before the late war, removed from there to the city of New York, where he resided until the time of his death; that he ever regarded Marshall as his home, and that his remains, and those of his deceased wife and children, are buried there, and that he was once a member of the Legislature of Michigan.

Your petitioners further represent that as they are informed and believe, on or about the first day of June, 1862, the said Darius Clark was duly commissioned as a colonel in the militia of the State of Michigan, and appointed as the military agent of the State of Michigan, to do what was necessary to secure the comfort of the soldiers from the State of Michigan, and provide the requisite care and attention to their wants, and to attend to the transportation of the sick and wounded; that he acted as such agent to the end of the war, and until there ceased to be soldiers of the State of Michigan requiring aid or attention in the city of New York.

Your petitioners further represent that as they are informed and believe, the said Darius Clark devoted a large portion of his time for three years and upwards, to the business of said agency; that he has received no compensation for said services, and that at the time of his death the State of Michigan was justly indebted to him in such sum as would be a reasonable compensation for said services.

Annexed hereto are letters and papers found among his effects after his death, relating to his agency and services, which may be enumerated as follows:

Commission as colonel of militia of Michigan. Letter of military secretary of Governor Blair, dated May 22d, 1862. Letter of Adjutant General Robertson, dated June 1, 1862, accompanying commission. Bill for services, as claimed by deceased in his life-time.

Letter of deceased in his own hand-writing to Gov. Austin Blair in relation to his services and compensation, dated Nov. 4th, 1867.

Letter of Gov. Austin Blair to Gov. Crapo, dated July 20th, 1868.

Letter from William J. Sloan, medical director, surgeon, etc., and of G. W. Bungay, correspondent of the N. Y. Tribune, in relation to services rendered by said Darius Clark, and letter of Gov. Austin Blair to one of your petitioners. It will be readily seen that a portion of these letters are copies, the originals of which are presumed to have been placed in the hands of Gov. Crapo a short time before his death ; but your petitioners have no doubt as to their being correct copies of genuine letters.

Your petitioners further represent that their said brother, Darius Clark, left no property of any considerable value ; that he left no widow, and but one child, Hattie H. Clark, a daughter who has been tenderly reared, and is dependent upon the liberality of her friends for her support. She is her father's only heir, and is now in the family of a friend on a visit to Europe ; and your petitioners present this petition in view of their obligation to care for the rights of the helpless daughter of a deceased brother.

Your petitioners further represent upon their information and belief, that the said claim has not been paid, for the reason that the Governor of said State had no money under his control applicable to the payment of said claim, and they are advised that an act of your honorable body providing for the payment thereof is necessary before the same can be paid.

Your petitioners verily believe that at the time of the death of said Darius Clark, the said State of Michigan was justly indebted to him, in the sum stated in his bill hereto annexed, or in about that sum ; and believing the State of Michigan too just and too proud to allow a claim of this character to remain unpaid, pray that an act may be passed by your honorable body providing for the payment to said Hattie H. Clark of such

sum as in the opinion of your honorable body was justly due from said State of Michigan to said Darius Clark at the time of his death. And your petitioners will ever pray, etc.

Dated January, 1873.

WILLIAM CLARK.

EMMONS CLARK.

By Mr. Robertson: Petition of E. F. Howe, W. Bunting, and 50 others, asking the repeal of the prohibitory liquor law; Referred to the committee on State affairs.

By Mr. Brunson: Petition of S. Van Sickle and 62 others, for an amendment to the liquor law;

Referred to the committee on State affairs.

By Mr. Walton: Petition of B. McAdam and 114 others of Clinton, Lenawee county, for the repeal of the prohibitory liquor law;

Referred to the committee on State affairs.

By Mr. E. C. Watkins: Petition of A. L. Picket, H. B. Childs, and 98 others of Kent county, asking for a law prohibiting the putting into any of the streams of this State, any shingles, shavings, planing-mill shavings, or other obstruction, to the injury of water-power owners.

Referred to the committee on State affairs.

By Mr. Hosner: Petition of R. A. Seymour and 33 others, asking for the division of the 13th judicial district;

Referred to the committee on judiciary.

By Mr. Shaw: Petition of W. Edwards and 18 others, for the division of the 13th judicial circuit;

Referred to the committee on judiciary.

The following is the petition:

*To the Senate and House of Representatives of the Legislature of the State of Michigan:*

We, the undersigned, citizens of the 13th judicial circuit, do petition your honorable body for the reorganization of this circuit, and would respectfully call your attention to the following reasons as sufficient, without taking other things into consideration, to warrant your immediate action.

The 13 judicial circuit is composed of eleven counties, and extends from the northern boundary of Oceana county to the Straits of Mackinaw, a distance, in a direct line, of nearly 150 miles. It contains more than double the number of counties of any other circuit in the State, and embraces about one-half of this Peninsula north of Saginaw Bay.

There are no means of public conveyance, and the judge, in visiting the several counties, is compelled to go with private conveyance, over roads almost impassable, and usually in the most inclement season of the year.

The present judge resides near Traverse City, a distance of from 50 to 100 miles from the largest counties in the circuit, and clients are necessarily put to great inconvenience and expense in employing attorneys, and in going back and forth to attend before the court at chambers.

The counties are rapidly increasing in wealth and population, and some of them are already entitled to more frequent sessions of court; and the amount of business demands that the number should be increased.

There must be held 22 regular terms in the circuit during the year, and one judge cannot, under the circumstances, do justice to the people. The business of the courts must necessarily be crowded, in the haste to meet appointments.

Since the last census the population of the thirteenth judicial circuit has increased one-half, and the manufacturing interests have more than doubled.

In Benzie and Leelanaw counties valuable iron interests have already been developed, and similar projects are on foot in nearly every county along the shore. There is direct communication by water with the mining districts of Lake Superior. Manufacturing interests are fast springing up, and the resources of the country are developing. Taking these things into consideration, we are satisfied that the formation of a new judicial circuit would be in the interests and for the benefit of all the people.



By Mr. Rose: Petition of R. E. Bigbee, county treasurer; D. A. Lathrop, county clerk, and other county officers and citizens of Lake county, asking that A. H. Giddings, Circuit Judge, be removed from office;

Referred to the special committee on that subject.

By Mr. Shaw: Petition of Wm. Hurd and 49 others, for the division of the 13th judicial circuit;

Referred to the committee on judiciary.

By Mr. E. R. Miller: Remonstrance of Wm. Courtney and 6 others, of Pavillion, Kalamazoo county, against the repeal of the law creating the office of county superintendent of schools;

Also: Remonstrance of L. H. Trowbridge, F. S. Hillhouse, and 13 others, for the same purpose;

Referred to the committee on education.

By Mr. E. O. Watkins: Petition of P. Becker, Calvin Thomson, and 106 other citizens of Kent county, asking that the law creating the office of county superintendent of schools be repealed;

Referred to the committee on education.

By Mr. Withington: Petition of J. P. Kenston, A. S. Losee, and 31 others, asking the passage of a law prohibiting the manufacture of wagons by convict labor in the State Prison;

Referred to the committee on manufactures.

By Mr. Withington: Remonstrance of A. V. Berry and 38 others, against the passage of the proposed amendments to the charter of the city of Jackson;

Referred to the committee on municipal corporations.

By Mr. Greusel: Petition of A. Lapham, A. Woodworth, and 30 others, freeholders in that part of Greenfield, praying that said territory may be annexed to the town of Springwells;

• Referred to the committee on towns and counties.

## REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend section 8 of an act entitled "An act to amend chapter 150 of the revised statutes of 1846, it being chapter 175 of the compiled laws, and to authorize the salary of judges of probate, approved February 15th, 1859, being section 7439 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This bill seems to provide for an existing deficiency, and to meet what has long been demanded in the county of Wayne.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, February 19, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 75, entitled

A bill to amend sections 1, 2, 12, and 17, of an act entitled "An act to incorporate the village of Three Rivers," approved February 13, 1855, and to add thereto two new sections, to stand as sections 30 and 31 of said act;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators

elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 19, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate bill No. 54, entitled

A bill to detach certain territory from the town of Taymouth, in Saginaw county, and attach the same to the town Spaulding, in said county ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on towns and counties.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 19, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House manuscript bill, entitled

A bill to authorize the city of Ann Arbor to borrow money for the purpose of erecting a court-house in said city, and to issue its bonds for the payment of the same ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER,  
Lansing, February 19, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill entitled

A bill to provide for the alteration or amendment of the articles of association of companies organized under chapter 95 of the compiled laws of 1871, and to repeal an act entitled "An act to authorize manufacturing companies to amend their articles of association," approved February 5, 1864;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on private corporations.

#### THIRD READING OF BILLS.

House bill No. 108, entitled

A bill to legalize the tax roll of the township of Bingham, in the county of Clinton, for the year 1872,

Was read a third time and passed; a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Green,	Mr. Priest,
Armstrong,	Greusel,	Rich,
Bailey,	Haire,	Robinson,
Bartholomew,	Harris,	Rose,
Bottomley,	Haywood,	Sessions,
Breitung,	Hertzler,	Shaw,
Briggs,	Hewitt,	Simpson,
Brunson,	Hosner,	Speed,
Burns,	Hoyt,	Striker,
Caplis,	Kellogg,	Thomas,
Carter,	Kipp,	Thompson,
Chafey,	Lamb,	Van Aken,
Cobb,	Lewis,	A. Walker,
Curtis,	Lockwood,	B. Walker,
Dinturff,	Markey,	J. Walker,
Drake,	E. R. Miller,	L. Walker,
Drew,	R. O. Miller,	Warren,
Edwards,	Morse,	E. C. Watkins,
Fancher,	Noyes,	Welker,
Ferguson,	O'Dell,	Withington,
Fey,	Parsons,	Wixson,
Garfield,	Perry,	Zimmerman,
Garvelink,	Pierce,	

68

## NAYS.

Mr. Ripley,	Mr. Smith,	Mr. Walton,	3
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Title agreed to.

On motion of Mr. Brunson,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 81, entitled

A bill to establish a State Board of Health, to provide for the appointment of a Superintendent of Vital Statistics, and to assign certain duties to local boards of health,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Bartholomew moved to re-consider the vote by which the House concurred in the amendment made to the bill by the committee of the whole, in inserting in line 2, of section

6, the words "But such salary shall not exceed the sum of twelve hundred dollars ;"

Which motion prevailed.

The question being on concurring in the amendment, the same was not concurred in.

Mr. Garfield moved to amend the bill by inserting after the word "secretary," in line 2, section 4, the words, "Who shall be a physician of the Homeopathic school of medicine ;"

Which motion did not prevail.

Mr. Walton moved to amend the bill by inserting at the end of line 5 in section 8, the words "And shall make a full report biennially to the Legislature ;

Which motion did not prevail.

Mr. Lockwood moved to amend the bill by inserting at the end of section 1, the words "*Provided*, That the said board shall consist of the different schools of medicine known as Allopathy and Homeopathy in equal numbers ;"

Which motion did not prevail.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Bailey,	Mr. Garvelink,	Mr. Robinson,
Bartholomew,	Gilmore,	Robertson,
Bonine,	Grant,	Rose,
Bottomley,	Green,	Shaw,
Breitung,	Haire,	Smith,
Briggs,	Hewitt,	Spced,
Brunson,	Hoar,	Thomas,
Buell,	Hosner,	Thompson,
Burns,	Hoyt,	A. Walker,
Caplis,	Kipp,	B. Walker,
Chafey,	Lamb,	L. Walker,
Chamberlain,	Morse,	Warren,
Cobb,	Noyes,	E. C. Watkins,
Curtis,	Parsons,	Wheeler,
Drew,	Perry,	Withington,
Edwards,	Pierce,	Zimmerman,
Fancher,	Priest,	Speaker,
Ferguson,	Rich,	

## NAYS.

Mr. Ackley,  
Armstrong,  
Blackman,  
Carter,  
Cook,  
Drake,  
Fey,  
Garfield,  
Greusel,

Mr. Haywood,  
Hertzler,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
R. O. Miller,  
Mitchell,  
O'Dell,

Mr. Ripley,  
Simpson,  
Striker,  
Van Aken,  
J. Walker,  
Walton,  
Welch,  
Welker,  
Wixson, 27

Title agreed to.

Mr. Bartholomew moved that the bill be ordered to take immediate effect ;

Which motion did not prevail.

House bill No. 80, entitled

A bill to amend section 8 of an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15th, A. D. 1861, and to add a new section to said act,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bonine,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Carter,  
Chafey,  
Cobb,  
Cook,  
Curtis,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Ferguson,

Mr. Green,  
Greusel,  
Haire,  
Haywood,  
Hertzler,  
Hewitt,  
Hosner,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
R. O. Miller,  
Mitchell,  
Morse,  
Noyes,

Mr. Priest,  
Rich,  
Ripley,  
Robinson,  
Robertson,  
Shaw,  
Simpson,  
Smith,  
Striker,  
Thomas,  
Thompson,  
Van Aken,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
E. C. Watkins,  
Wheeler,

Mr. Fey,  
Garfield,  
Garvelink,  
Grant,

Mr. O'Dell,  
Parsons,  
Perry,  
Pierce,

Mr. Withington,  
Wixson,  
Zimmerman,  
Speaker, 72

NAYS.

0

Title agreed to.

On motion of Mr. Cobb,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 74, entitled

A bill to amend an act entitled "An act to provide for laying out and constructing a State ditch or drain in the counties of St. Clair and Sanilac, and making an appropriation of State swamp lands, to aid in the construction of the same, being act No. 382 of session laws of 1871,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Burns,  
Carter,  
Chafey,  
Cobb,  
Cook,  
Curtis,  
Drake,  
Drew,  
Edwards,  
Fancher,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Grant,  
Green,

Mr. Grensel,  
Haywood,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,

Mr. Ripley,  
Robinson,  
Robertson,  
Shaw,  
Smith,  
Striker,  
Thomas,  
Thompson,  
Van Aken,  
A. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
E. C. Watkins,  
Welch,  
Welker,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

68

NAYS.

0

Title agreed to.



On motion of Mr. Bottomley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Senate bill No. 37, entitled

A bill to repeal an act entitled "An act in relation to collection of recognizances in criminal cases," approved March 7, 1861, being sections 6884, 6885, and 6886 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Ripley,
Bartholomew,	Haywood,	Robinson,
Bottomley,	Hertzler,	Robertson,
Breitung,	Hewitt,	Shaw
Briggs,	Hoar,	Simpson,
Brunson,	Hosner,	Speed,
Burns,	Kellogg,	Striker,
Chafey,	Knapp,	Thomas,
Cobb,	Lewis,	Thompson,
Curtis,	E. R. Miller,	Van Aken,
Drake,	R. C. Miller,	A. Walker,
Drew,	Mitchell,	L. Walker,
Fancher,	Morse,	Warren,
Fey,	O'Dell,	Welker,
Garfield,	Perry,	Withington,
Garvelink,	Pierce,	Wixson,
Grant,	Remer,	Zimmerman,
Green,		

52

#### NAYS.

Mr. Armstrong,	Mr. Gilmore,	Mr. Noyes,
Bailey,	Greusel,	Priest,
Blackman,	Hoyt,	Rich,
Caplis,	Kipp,	Smith,
Carter,	Lamb,	J. Walker,
Cook,	Lockwood,	Walton,
Edwards,	Luce,	Welch,
Ferguson,	Markey,	

23

Title agreed to.

Pending the announcement of the vote,

Mr. Shaw moved that Mr. J. Walker be excused from voting;  
Which motion did not prevail.

Mr. J. Walker then voted as recorded above.

Senate bill No. 41, entitled

A bill to amend section 1 of chapter 154 of the compiled laws of 1871, relative to wills of real and personal estate;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Remer,
Armstrong,	Haire,	Rich,
Bailey,	Harris,	Ripley,
Bonine,	Haywood,	Robinson,
Bottomley,	Hertzler,	Robertson,
Breitung,	Hewitt,	Scott,
Briggs,	Hoar,	Shaw,
Brunson,	Hoyt,	Simpson,
Burns,	Kellogg,	Smith,
Caplis,	Kipp,	Speed,
Carter,	Knapp,	Thomas,
Chafey,	Lamb,	Thompson,
Cobb,	Lewis,	Van Aken,
Cook,	Lockwood,	A. Walker,
Curtis,	Luce,	J. Walker,
Drake,	Markey,	L. Walker,
Drew,	E. R. Miller,	Walton,
Edwards,	R. C. Miller,	Warren,
Fancher,	Mitchell,	Welch,
Ferguson,	Morse,	Welker,
Fey,	Noyes,	Wheeler,
Garfield,	O'Dell,	Withington,
Garvelink,	Parsons,	Wixson,
Gilmore,	Perry,	Zimmerman,
Grant,	Pierce,	Speaker,
Green,	Priest,	
	NAYS.	

77

0

Title agreed to.

On motion of Mr. Van Aken,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

The committee on municipal corporations, by unanimous consent, reported as follows:

The committee on municipal corporations, to whom was referred

A bill to amend sections 4 and 11 of an act entitled "An act to provide for the imprisonment and detention of convicted persons in the Detroit House of Correction," approved April 3, 1869, the same being sections 8175 and 8181, chapter 269 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to amend section 14 of act No. 259 of the session laws of 1871, being "An act to incorporate the village of Williamston," approved April 5, 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to define and regulate the powers of the board of public works of the city of Jackson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be printed and re-referred to the same committee for further consideration.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Speed,

The bill was ordered printed and re-committed to the committee on municipal corporations.

Mr. Thomas, by unanimous consent, offered the following:

WHEREAS, The fireman of this House is sick and unable to attend to the duties of his office ; be it

*Resolved*, That the Sergeant-at-Arms be instructed and authorized to procure temporary assistance for the performance of the fireman's duties ;

Which was adopted.

The committee on private corporations, by unanimous consent, reported as follows :

The committee on private corporations, to whom was referred Senate manuscript bill, entitled

A bill to provide for the alteration and amendment of the articles of association of companies organized under chapter 95 of the compiled laws of 1871, and to repeal an act entitled "An act to authorize manufacturing companies to amend their articles of association," approved February 5, 1864,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

J. CAPLIS, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shaw,

The rules were suspended, and the bill was placed on the order of third reading.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bills :

1. House bill No. 17, entitled

A bill to provide for the legalizing of certain bonds heretofore issued by the village of Pentwater ;

2. House bill No. 55, entitled

A bill to amend sections 9 and 27 of an act entitled "An act to incorporate the city of Alpena," approved March 29, 1871, being act number 249 of the session laws for the year 1871, and to add a new section to stand as section number 94 ;

3. House bill No. 18, entitled

A bill to legalize the tax roll of the village of Mt. Clemens for the year 1872 ;

4. House bill No. 29, entitled

A bill to amend section one of "An act authorizing any persons to construct lines of electric telegraph in the State of Michigan," being section 1608 in chapter 38 of the compiled laws of 1871 ;

5. House bill No. 32, entitled

A bill to amend an act entitled "An act to authorize the formation of telegraph companies," approved March 26, 1851, being chapter 80 of the compiled laws of 1871, by adding thereto a new section to be section No. 22 of said act ;

6. House bill No. 36, entitled

A bill to legalize the tax roll of the township of Rubicon, in the county of Huron. for the year 1872, and to extend the time for the collection of the taxes therein ;

7. House manuscript bill, entitled

A bill to authorize the city of Ann Arbor to borrow money for the purpose of erecting a court-house in said city, and to issue its "bonds" for the payment of the same.

S. H. BLACKMAN, *Chairman*.

Report accepted.

Mr. Blackman, by unanimous consent offered the following :

WHEREAS, Several bills for the amendment of the charters of villages were introduced on the 19th day of February, being the last day for the introduction of bills, for the introduction of which bills no notice had been given previous to said day ; therefore,

*Resolved*, That the judiciary committee be requested to examine the constitution and laws on that subject, and report to this House whether, in the opinion of said committee, this House can, constitutionally, entertain said bills ;

Which was adopted.

Mr. Speed, by unanimous consent, offered the following :

*Resolved*, That the committee on municipal corporations be authorized to employ a clerk at a compensation not exceeding \$3 per day, and when his services are not required by said committee, that he act as assistant engrossing and enrolling clerk ;

Which was adopted.

Mr. Gilmore, by unanimous consent, offered the following :

*Resolved*, That a bill entitled

A bill to amend section 2 of chapter 41 of the compiled laws of 1871, relative to the legal rate of interest on money,

Which was referred to the committee on the judiciary, be and the same is hereby ordered printed at once ;

Which was adopted.

The House then resumed the order of

THIRD READING OF BILLS.

4. House bill No. 54, entitled

A bill to amend sections 7, 8, 9, 10, 30, 31, 38, 39, 42, 64,

70, and 95, and to repeal section 50 of an act entitled "An act for the re-organization of the military forces of the State of Michigan," approved January 18, 1862, being sections 834, 835, 836, 837, 857, 858, 865, 866, 869, 877, 891, 897 and 922, chapter 18 of the compiled laws of 1871, and to add new sections thereto,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. L. Walker moved to amend the bill by striking out recited section 109 ;

Pending which,

Mr. Speed moved to amend the bill by inserting in line 3, section 109, after the word "public," the words "as a military organization or company ;"

Which was withdrawn.

The question recurring on striking out section 109,

The motion prevailed.

Mr. Bonine demanded the previous question.

The demand was not seconded.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Rich,
Armstrong,	Green,	Robinson,
Bartholomew,	Greusel,	Robertson,
Bonine,	Haire,	Rose,
Bottomley,	Harris,	Scott,
Breitung,	Haywood,	Shaw,
Briggs,	Hertzler,	Smith,
Brunson,	Hewitt,	Speed,
Buell,	Hoar,	Striker,
Burns,	Hosner,	Thomas,
Caplis,	Hoyt,	Thompson,
Chafey,	Knapp,	A. Walker,
Cobb,	Lamb,	B. Walker,
Cook,	Lewis,	L. Walker,
Curtis,	Lockwood,	Walton,
Drake,	Markey,	Warren,
Drew,	E. R. Miller,	E. C. Watkins,

Mr. Edwards,  
Fancher,  
Ferguson,  
Fey,  
Garvelink,  
Gilmore,  
Goodrich,

Mr. Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Perry,  
Pierce,  
Remer,

Mr. Welch,  
Welker,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker, 72

# NAYS.

Mr. Bailey,  
Blackman,  
Carter,  
Garfield,  
Kellogg,

Mr. Kipp,  
Luce,  
R. C. Miller,  
Parsons,  
Priest.

Mr. Ripley,  
Sessions,  
Simpson,  
Van Aken,  
J. Walker, 15

Title agreed to.

The Sergeant-at-Arms announced the Private Secretary of the Governor, who transmitted to the House a message from his Excellency the Governor, in writing.

House bill No. 79, entitled

A bill making appropriations for the Institution for Educating the Deaf, Dumb, and the Blind, for the years 1873 and 1874,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

# YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Blackman,  
Bonine,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Buell,  
Burns,  
Caplis,  
Carter,  
Chafey,  
Cook,  
Curtis,  
Drake,  
Drew,

Mr. Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Hoyt,  
Kellogg,  
Kipp,  
Lamb,  
Lewis,  
Luce,  
Markey,  
E. R. Miller,  
R. C. Miller,  
Mitchell,

Mr. Ripley,  
Robinson,  
Robertson,  
Rose,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Aken,  
A. Walker,  
B. Walker,  
J. Walker,  
L. Walker,  
Walton,



Mr. Fancher,	Mr. Morse,	Mr. Warren,	
Ferguson,	Noyes,	E. C. Watkins,	
Fey,	O'Dell,	Welch,	
Garfield,	Parsons,	Welker,	
Garvelink,	Perry,	Wheeler,	
Gilmore,	Pierce,	Wixson,	
Goodrich,	Priest,	Zimmerman,	
Grant,	Remer,	Speaker,	
Green,	Rich,		80
	NAYS..		0

The question being on agreeing to the title,

On motion of Mr. L. Walker,

The word "and" was inserted between the words "Deaf" and "Dumb."

The title, as amended, was then agreed to.

On motion of Mr. L. Walker,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

Mr. Kellogg moved to re-consider the vote by which the House passed Senate bill No. 37, entitled

A bill to repeal an act, entitled "An act in relation to collection of recognizances in criminal cases," approved March 7, 1861, being sections 6884, 6885, and 6886, of the compiled laws of 1871.

On motion of Mr. Shaw,

The motion to re-consider was laid on the table.

Mr. Speed, by unanimous consent, offered the following:

*Resolved*, That the committee on municipal corporations be instructed to so amend the bill for the incorporation of cities, as to provide—

*First*. That no city shall be incorporated until it shall have a population exceeding 5,000 in number;

*Second*. That each city shall have three wards and three supervisors for 5,000 inhabitants, and an increase of one additional ward and one additional supervisor for each additional 3,000 inhabitants in excess of the number of inhabitants in the city at the time of incorporation.

On motion of Mr. Speed,

The resolution was laid on the table.

Mr. Speed, by unanimous consent, offered the following :

*Resolved*, That the committee on municipal corporations be instructed to so amend the bill for the incorporation of cities as to provide for the appointment of an assessor for the city at large, and that the assessor and one alderman for each ward shall be members of the board of supervisors of the county, and to provide for the appointment of an independent board of review of assessments made in the city.

On motion of Mr. Hoyt,

The resolution was laid on the table.

On motion of Mr. Welch,

The House adjourned.

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*Lansing, Friday, February 21, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Wood.

Roll called : quorum present.

Absent without leave : Messrs. Breitung, Cobb, and R. C. Miller.

Mr. Buell asked and obtained leave of absence for Mr. Breitung, indefinitely, on account of sickness.

Mr. Kellogg asked and obtained leave of absence for Mr. R. C. Miller, indefinitely, on account of sickness.

Mr. E. R. Miller asked and obtained leave of absence for Mr. Cobb for the day.

Mr. Warren asked and obtained leave of absence for himself for the day.

Mr. Welker, by unanimous consent, moved to take from the order of third reading of bills House bill No. 78, entitled

A bill to amend section 7 of chapter 169, it being section

4725 of the compiled laws of 1871, relative to marriage and the solemnization thereof ;

Which motion prevailed.

On motion of Mr. Welker,

The bill was recommitted to the committee on religious and benevolent societies.

#### PRESENTATION OF PETITIONS.

By Mr. Bonine: Petition of H. Lardner, Geo. N. Bond, M. Pittengill, M. D. Gragg, J. K. Apted, A. J. Cleland, O. P. Horn, J. C. Larimore, E. Coffinger, J. K. Finley, and 179 others, asking a change in the southeastern boundary line of the city of Niles ;

Referred to the committee on municipal corporations.

By Mr. Haire: Remonstrance of C. B. Albee, Henry Griffin, E. P. Ferry, D. Cutler, and 76 others, citizens of Ottawa county, against the removal of Hon. A. H. Giddings, Judge of the 14th judicial circuit ;

Also: Petition of Timothy Hall, John B. Perhaw, W. B. Hummer, and 20 others, citizens of Ottawa county, asking for the removal of Hon. A. H. Giddings, judge of the 14th district ;

Referred to the special committee on that subject.

By Mr. Fancher: Petition of J. Miller, M. D., M. F. Fasquelle, M. D., and 108 others, of Isabella county, praying for the elevation of the profession of medicine ;

Referred to the committee on public health.

By Mr. Withington: Remonstrance of James A. O'Dwyer, J. B. Tomlinson, and 50 others, against the passage of certain of the proposed amendments to the charter of the city of Jackson ;

Referred to the committee on municipal corporations.

By Mr. Fey: Petition of A. M. Root and 58 others for the repeal of the prohibitory liquor law ; also for the submission of an amendment to the Constitution allowing the Legislature to license the sale of liquor ;

Referred to the committee on State affairs.

By Mr. Fancher: Petition of C. P. Miller and 24 others of the township of Grant, in the county of Gladwin, praying that surveyed townships 19 and 20 north, of range 2 west, be detached from the township of Gladwin and attached to the township of Grant;

Referred to the committee on towns and counties.

By Mr. Shaw: Petition of Z. Ashley and 16 others for a change of the boundary lines of Eaton and Ingham counties on sections 30 and 31;

Referred to the committee on towns and counties.

By Mr. Lockwood: Petition of Messrs. Bates & Co. and others for the passage of Senate bill No. 31;

Referred to the committee on lumber and salt interests.

#### REPORTS OF STANDING COMMITTEES.

By the committee on insurance:

The committee on insurance, to whom was referred Senate bill No. 47, entitled

A bill to amend sections 2 and 6, and to repeal section 9 of an act entitled "An act to establish an Insurance Bureau," approved April 13, 1871, being sections 1674, 1678, and 1681 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject. Their reasons for so reporting are that they believe the changes sought to be made are expedient.

E. H. GREEN, *Acting Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to prevent the destruction of fish in Fisk's and Reed's Lakes, in the township of Grand Rapids, Kent county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject,

For the reason that the lakes named are in the immediate vicinity of the city of Grand Rapids, and are liable to be entirely emptied of fish by fishing parties from the city, greatly to the injury of the petitioners, who own the land surrounding these small lakes, unless protected by the passage of this bill.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to amend section 5 of an act entitled "An act to protect fish and the fisheries of this State," approved March 21, 1865, being section 2076 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

For the reason that the speckled trout and the fish known as the Greyling, are especially rare and valuable fish, and without the protection rendered by the passage of this act are liable to speedy extermination.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on railroads and public lands:

The committees on public lands and railroads to whom was jointly referred Senate joint resolution No. 2, entitled

Joint resolution defining and confirming to the Chicago & Northwestern Railway Company the aid in lands heretofore authorized by law for the construction of a railroad from near the mouth of the Menominee river to Negaunee, in the Upper Peninsula,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass.

For the reasons for making the above report and recommendation, your committee desire to call attention to the exhaustive report of the Senate special committee to whom this resolution was referred, which will be found in the journal on pages 459 and 460, and ask to be discharged from the further consideration of the subject.

E. C. WATKINS, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole and placed on the general order.

By the committee on religious and benevolent societies :

The committee on religious and benevolent societies, to whom was referred

A bill to change the name of the first Methodist Episcopal Church of Grand Rapids, the same to be hereafter known as the Division Street Methodist Episcopal Church of the city of Grand Rapids,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend section 27 of "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 993, chapter 21, of the compiled laws of 1871.

Respectfully report that they have had the same under consideration and find that the sole intention of the amendment is to authorize the boards of supervisors of the several counties to equalize the personal as well as real property.

They have, therefore, directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. FANCHER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend section 68 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1034 of chapter 21 of the compiled laws of 1871,

Have had the same under consideration, and find that the amendment proposed is for the purpose of allowing the county treasurers thirty days to make returns of the delinquent taxes to the Auditor General, after the same are returned to them by the town treasurers, in cases where the time for the collection thereof by the town treasurer has been extended; and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. FANCHER, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 46, entitled

A bill to authorize the Saginaw and Genesee plank road company to discontinue certain portions of their road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject, for the reason that it is situated in the corporate limits of the city of Flint, and the city wish or have paved the same.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to repeal act No. 419 of the session laws of 1871, being an act to provide for the laying out and constructing a State road in Isabella county, and refunding the appropriation,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject; it being one of those roads to be constructed with non-resident highway taxes.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred



A bill to repeal an act entitled "An act to provide for laying out a State road from town twenty-four north, of range four east to the meridian," being act No. 443 of the session laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject; it being one of those State roads to be constructed with non-resident highway taxes.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to repeal act No. 489 of the session laws of 1871, being an act entitled "An act to lay out and establish a State road in the counties of Midland and Gladwin, and to appropriate certain non-resident highway taxes for the construction of the same,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This also is one of those State roads which was to be constructed with highway taxes.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to provide for the appointment of two professors of homeopathy in the department of medicine of the University;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, and recommend that it be referred to the committee on University and Normal School, and ask to be discharged from the further consideration of the subject.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the recommendation of the committee, and the bill was referred to the committee on University and Normal School.

By the committee on private corporations:

The committee on private corporations, to whom was referred  
A bill to authorize mining and manufacturing companies or associations to amend their articles of association,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. CAPLIS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on private corporations:

The committee on private corporations, to whom was referred  
A bill to amend sections 6 and 7 of act number 188 of the session laws of 1857, entitled "An act to provide for the incorporation of mechanics associations," approved February 17, 1857, being sections 2800 and 2801 of the compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do

pass, and ask to be discharged from the further consideration of the subject.

J. CAPLIS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on mines and minerals:

The committee on mines and minerals, to whom was referred

A bill to provide for the raising of specific taxes upon copper mined in this State by chartered companies, corporations, joint stock companies, and private individuals,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Our object in reporting favorably on this bill, is to ease those mining companies who are not making any profit, and charge those companies who are making large profits higher taxes.

WM. HARRIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred Senate bill No. 75, entitled

A bill to amend sections 1, 2, 12, and 17, of an act entitled "An act to incorporate the village of Three Rivers," approved February 12, 1855, and to add thereto two new sections, to stand as sections 30 and 31 of said act;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Parsons,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Armstroug,	Mr. Green,	Mr. Robinson,
Bailey,	Greusel,	Robertson,
Bartholomew,	Haire,	Scott,
Blackman,	Haywood,	Sessions,
Bottomley,	Hertzler,	Simpson,
Briggs,	Hewitt,	Smith,
Brunson,	Hoar,	Speed,
Buell,	Hosner,	Striker,
Burns,	Hoyt,	Thomas,
Caplis,	Lewis,	Thompson,
Carter,	Lockwood,	A. Walker,
Chafey,	Luce,	B. Walker,
Cook,	Markey,	J. Walker,
Curtis,	E. R. Miller,	L. Walker,
Dinturff,	Mitchell,	Walton,
Drake,	Morse,	E. C. Watkins,
Edwards,	Noyes,	Welch,
Fancher,	O'Dell,	Welker,
Ferguson,	Parsons,	Wheeler,
Fey,	Pierce,	Withington,
Garvelink,	Priest,	Wixson,
Gilmore,	Remer,	Zimmerman,
Grant,	Rich,	Speaker, 69

#### NAYS.

Mr. Ripley,

1

Title agreed to.

On motion of Mr. Parsons,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

By the committee on ways and means:

The committee on ways and means, to whom was referred Senate bill No. 28, entitled

A bill to amend section 166 of an act entitled "An act to

provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1132 of the compiled laws of 1871;

Also,

A bill to amend section 71 of an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being section 1037, chapter 21 of the compiled laws of 1871;

Respectfully report that the present law provides that any person holding any deed of lands for non-payment of taxes. may, commence a suit in chancery, and if complainant's title shall be found invalid for any reason not enumerated in the law, the court shall ascertain the amount of taxes due complainant and decree the payment thereof. The object of the first above named bill is to provide that the law shall apply to deeds executed by the Auditor General before as well as since the passage of the law, and that the law shall apply only to persons holding deeds of unoccupied lands. Your committee are of the opinion that the State should afford all protection possible to owners of tax deeds, and they see no good reason why occupied lands should be exempt from the law. They have, therefore, directed me to report said Senate bill No. 28 back to the House, with the accompanying amendment, striking out the word "unoccupied," recommending that the amendment be concurred in, and that the bill, when so amended, do pass.

The sole object of the second above named bill is to provide that the collection fee of four per cent, provided for by section 70, chapter 21, compiled laws of 1871, shall go into the county treasuries. They therefore have directed me to report the same back to the House, with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The House concurred in the amendments made to the first named bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

The second named bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Edwards moved to reconsider the vote by which the House passed

House bill No. 81, entitled

A bill to establish a State Board of Health, to provide for the appointment of a Superintendent of Vital Statistics, and to assign certain duties to local boards of health ;

Mr. Buell moved to lay the motion to reconsider the vote on the table,

Pending which,

Mr. Speed moved that there be a call of the House ;

Which motion prevailed.

#### PROCEEDINGS UNDER THE CALL.

The roll of the House was called by the Clerk, and the following members reported absent without leave : Messrs. Perry, Bonine, and Lamb.

On motion of Mr. Lockwood,

The Sergeant-at-Arms was dispatched after the absentees.

The Sergeant-at-Arms announced Mr. Perry at the bar of the House.

On motion of Mr. Greusel,

Mr. Perry was admitted within the bar, rendered an excuse, and took his seat.

Mr. L. Walker moved that all further proceedings under the call be dispensed with ;

Which motion did not prevail.

The Sergeant-at-Arms announced Mr. Bonine at the bar of the House.

On motion of Mr. Greusel,

Mr. Bonine was admitted within the bar, rendered an excuse, and took his seat.

On motion of Mr. Hoyt,

All further proceedings under the call were dispensed with.

The question recurring on the motion to lay the motion to reconsider on the table,

Mr. Edwards demanded the yeas and nays.

The demand was seconded, and the motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Bailey,	Mr. Grant,	Mr. Robertson,
Bartholomew,	Haire,	Rose,
Bonine,	Hewitt,	Shaw,
Briggs,	Hoar,	Speed,
Brunson,	Hosner,	Thomas,
Buell,	Hoyt,	Thompson,
Burns,	Kipp,	Van Scoy,
Caplis,	Morse,	A. Walker,
Chafey,	Noyes,	B. Walker,
Chamberlain,	Parsons,	L. Walker,
Curtis,	Perry,	E. O. Watkins,
Fancher,	Priest,	Withington,
Ferguson,	Remer,	Wixson,
Garvelink,	Rich,	Zimmerman,
Goodrich,		43

## NAYS.

Mr. Ackley,	Mr. Greusel,	Mr. Ripley,
Armstrong,	Harris,	Robinson,
Blackman,	Haywood,	Scott,
Bottomley,	Hertzler,	Sessions,
Carter,	Kellogg,	Simpson,
Cook,	Knapp,	Smith,
Dinturff,	Lewis,	Striker,
Drake,	Lockwood,	Van Aken,
Drew,	Luce,	J. Walker,
Edwards,	Markey,	Walton,
Fey,	E. R. Miller,	Welch,
Garfield,	Mitchell,	Welker,
Gilmore,	O'Dell,	Wheeler,
Green,	Pierce,	Speaker,
		42

Mr. Knapp asked and obtained leave of absence for himself for the forenoon.

Mr. E. R. Miller asked and obtained leave of absence for himself until Monday noon.

Mr. Rose asked and obtained leave of absence for himself until Monday noon.

Mr. Hoyt asked and obtained leave of absence for himself for the forenoon.

Mr. Ferguson asked and obtained leave of absence for himself until Monday noon.

### THIRD READING OF BILLS.

House bill No. 121 entitled

A bill to incorporate the village of Capac,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Scott,	
Armstrong,	Greusel,	Sessions,	
Bartholomew,	Haire,	Shaw,	
Bonine,	Harris,	Simpson,	
Bottomley,	Haywood,	Smith,	
Briggs,	Hertzler,	Speed,	
Brunson,	Hewitt,	Striker,	
Buell,	Hoar,	Thompson,	
Burns,	Hosner,	Van Aken,	
Carter,	Kellogg,	Van Scoy,	
Chafey,	Kipp,	A. Walker,	
Chamberlain,	Lewis,	B. Walker,	
Cook,	Markey,	J. Walker,	
Curtis,	Mitchell,	L. Walker,	
Dinturff,	Morse,	Walton,	
Drake,	O'Dell,	E. C. Watkins,	
Drew,	Parsons,	Welch,	
Edwards,	Perry,	Welker,	
Fancher,	Pierce,	Wheeler,	
Ferguson,	Priest,	Withington,	
Fey,	Remer,	Wixson,	
Garfield,	Rich,	Zimmerman,	
Goodrich,	Robinson,	Speaker,	
Grant,	Robertson,		71
	NAYS.		0

Title agreed to.

On motion of Mr. Bottomley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.



Mr. Grant moved that there be a call of the House ;

Which motion did not prevail.

Senate manuscript bill entitled

A bill for the alteration or amendment of the articles of association of companies organized under chapter 95 of the compiled laws of 1871, and to repeal an act entitled "An act to authorize manufacturing companies to amend their articles of association," approved February 5, 1864 ;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Robinson,	
Armstrong,	Green,	Robertson,	
Bailey,	Greusel,	Scott,	
Bartholomew,	Haire,	Sessions,	
Blackman,	Harris,	Shaw,	
Bonine,	Haywood,	Smith,	
Briggs,	Hertzler,	Speed,	
Brunson,	Hewitt,	Striker,	
Buell,	Hosner,	Thompson,	
Burns,	Kellogg,	Van Aken,	
Carter,	Kipp,	Van Scoy,	
Chafey,	Lewis,	A. Walker,	
Chamberlain,	Luce,	B. Walker,	
Cook,	Markey,	J. Walker,	
Curtis,	Mitchell,	L. Walker,	
Dinturff,	Morse,	Walton,	
Drew,	Noyes,	E. C. Watkins,	
Edwards,	O'Dell,	Welch,	
Fancher,	Parsons,	Welker,	
Ferguson,	Perry,	Wheeler,	
Fey,	Pierce,	Withington,	
Garfield,	Priest,	Wixson,	
Garvelink,	Remer,	Zimmerman,	
Goodrich,	Rich,	Speaker,	72

#### NAYS.

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Pending the announcement of the vote,

Mr. Hertzler moved that Mr. Blackman be excused from voting ;

Which motion did not prevail.

Mr. Blackman then voted as recorded above.

Title agreed to.

On motion of Mr. Shaw,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

#### MESSAGES FROM THE GOVERNOR.

The President announced the following :

EXECUTIVE OFFICE, }  
Lansing, February 19, 1873. }

*To the House of Representatives :*

I have this day signed, approved, and deposited in the office of the Secretary of State the following :

1. An act to correct and legalize the assessment-roll of the township of Dayton, in Newaygo county, for the year 1872, and to extend the time for the collection of taxes thereon ;

2. An act to amend sections 2, 12, and 27 of an act entitled "An act to incorporate the village of Paw Paw," approved March 28, 1867;

3. An act to legalize the assessment roll of the township of Henderson, in the county of Wexford, for the year eighteen hundred and seventy-two ;

4. An act to legalize the assessment roll of the township of Cherry Grove in the county of Wexford, for the year 1872 ;

5. Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to procure an amendment to the pension law granting pensions to the surviving soldiers of the war of 1812, so as to entitle all of said soldiers to a pension irrespective of time of service.

JOHN J. BAGLEY.

The message was laid on the table.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
Lansing, February 20, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 80, entitled

A bill to amend section 8 of an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15th, A. D. 1861, and to add a new section to said act;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing February 20, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bill :

Senate manuscript bill, entitled

A bill to incorporate the city of Negaunee, in the county of Marquette ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

#### MOTIONS AND RESOLUTIONS.

Mr. Ferguson offered the following :

WHEREAS, To-morrow, February 22d, is a legal holiday, therefore,

*Resolved*, That when this House adjourn to-day, it be until Monday next, at 2 o'clock p. m.

Which was adopted.

Mr. Noyes moved to discharge the committee of the whole from the further consideration of House bill No. 118, entitled

A bill to amend sections 1 and 2 of act number 365, session laws of 1869, entitled "An act to revise the charter of the village of Chelsea," approved March 30, 1869 ;

Which motion prevailed.

On motion of Mr. Noyes,

The bill was placed on the order of third reading.

Mr. Withington offered the following:

*Resolved*, That the committee on printing be instructed to cause the legislative journals to be printed with sufficient margin to admit of their being read after they are placed in the files ;

Which was adopted.

#### UNFINISHED BUSINESS.

Being the consideration of the following :

WHEREAS, A complete compilation of the general railroad legislation of the State of Michigan, containing the general railroad law of 1855, with amendments, supplemental acts, and all the enabling acts, together with the acts of Congress, and of the Legislature of this State, granting lands to railroad companies, has been duly arranged and published ;

AND WHEREAS, Not a single copy of this valuable book is owned by the State of Michigan ; therefore, to the end that aid work may be provided for the use of the members of the Legislature and State officers, be it

*Resolved by the House of Representatives* (the Senate concurring), That the State Librarian be authorized and instructed to furnish forthwith one dozen copies of said compilation, and place the same in the State Library ;

Which was adopted.

## GENERAL ORDER.

On motion of Mr. Withington,

The House went into committee of the whole on the general order,

Mr. E. C. Watkins in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 61, entitled

A bill to amend sections 5657 and 5658 of the compiled laws of 1871, being sections 7 and 8 of an act entitled "An act to provide for the appointment of a State reporter," approved April 17, 1871;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

E. C. WATKINS, *Chairman*.

Report accepted, and committee discharged.

On motion of Mr. Bottomley,

The House concurred in the amendments made to the bill by the committee, and it was placed on the order of third reading.

On motion of Mr. Simpson,

The House took a recess till two o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called: quorum present.

## PRESENTATION OF PETITIONS.

By Mr. Bonine: Petition of F. A. White, E. A. Kimel, W. E. Platt, L. Harton, A. Egbert, S. M. Finley, G. W. Platt, J. C.

Larimore, H. C. Platt, D. B. Cook, and 50 others, asking to detach a certain parcel of land in the corporate limits of Niles, belonging to George Kimel, known and described as a part of section 34, town 7 south, range 17 west;

Referred to the committee on municipal corporations.

By Mr. Scott: Petition of Dr. C. C. Smith and 42 others, citizens of Wayne county, to amend section 45 of chapter 46 of compiled laws of 1871;

Referred to the committee on public health.

The following is the petition:

*To the Legislature of the State of Michigan:*

We, the undersigned, citizens of Wayne county, Michigan, would respectfully petition your honorable body to so amend section 45 of chapter 46 of compiled laws of 1871, that it (will) or shall be obligatory on all persons to be vaccinated, above a certain age, in all organized townships in the State of Michigan.

By Mr. Drew: Memorial of the superintendents of the poor Jackson county, asking an appropriation for the relief of said county to the amount of \$450, money expended in the maintenance of Edward Murphy;

Referred to the committee on the State affairs.

The following is the memorial:

*To the Honorable the Members of the Senate and House of Representatives of the State of Michigan:*

Your memorialists respectfully represent that they are the county superintendents of the poor in and for the county of Jackson in the State of Michigan; that on or about the 20th day of December, A. D. 1869, one Edward Murphy, a citizen of the State of Illinois, came to the poor-house of said county and applied for admission thereto; that said Murphy was received at the time aforesaid, and has ever since said 20th day of December, A. D. 1869, been provided for and maintained by said county as a pauper; and your memorialists further show that said Murphy was found, at the time of his first appear-

ance at said poor-house, to be demented, and has continued to be in such condition ever since; that said Murphy was imprisoned in the Michigan State Prison at Jackson in said county on the 16th day of September, A. D. 1860, on a charge of murder; that in March, A. D. 1868, a man on his death-bed confessed the murder of the same person that said Murphy was alleged to have murdered, whereupon his Excellency the late Governor Crapo caused said Murphy to be immediately released from said State Prison. And your memorialists respectfully ask your honorable bodies to make an appropriation of the sum of four hundred and fifty dollars to reimburse the said county of Jackson for the expenses incurred during the last three years in maintaining the said Edward Murphy at the county's expense, it appearing unto your memorialists that the expense of maintaining said Murphy ought of right to devolve upon the State, and not be a burden upon any county thereof. And your memorialists further ask that such provisions be made by you for the future maintenance of said Murphy as shall be deemed just on the part of the State of Michigan and this unfortunate man.

F. G. LAYELERES,

D. O. BARNARD,

*Superintendents of Poor for Jackson county.*

By Mr. Kipp: Petition of N. Countryman and 20 others, of the town of Munday, Genesee county, for the repeal of the law creating the office of county superintendents of schools;

Referred to the committee on education.

By Mr. Parsons: Remonstrance of T. E. Clapp and 47 others, against the repeal of the law creating the office of county superintendent of schools;

Referred to the committee on education.

By Mr. Fey: Resolutions of the common council of the city of East Saginaw, favoring the consolidation of the cities of Saginaw, East Saginaw, South Saginaw, and Carrolton, into one city, to be called "city of Saginaw;"

Referred to the committee on municipal corporations.

By Mr. Ackley: Petition of A. A. Rouse and 41 others, for the repeal of the prohibitory liquor law, and for the amendment of the constitution ;

Referred to the committee on State affairs.

The Speaker announced the preamble and resolutions of the board of trade of the city of Detroit, asking the Legislature to make a grant of swamp lands in aid of the construction of a certain railroad in the Upper Peninsula ;

Referred to the committee on railroads and public lands jointly.

The following is the preamble and resolution :

WHEREAS, The United States and the State of Michigan have made liberal grants of land to secure the construction of a railroad from Chicago to the Traverse region of the Upper Peninsula of this State; and

WHEREAS, It is not probable any further grants of land can be secured from the United States; and

WHEREAS, It is, in the opinion of this board, very important to the interests of Michigan that a railroad be completed at as early a day as possible, between the railroads now constructed in the upper peninsula and the roads in the lower peninsula, which will be finished to this present year; and

WHEREAS, It is represented that the State owns and holds large tracts of swamp lands lying east of Marquette, Negaunee and Escanaba, in the upper peninsula, which can be used to secure the completion of such roads as have connected the upper and lower peninsulas; and

WHEREAS, The board believes it for the interest of this State that said connection of railroads be completed as soon as possible, and for that purpose deem it a wise policy to use all such portion of said swamp lands in the upper peninsula as may be necessary to secure the building of said road ;

*Resolved*, That we respectfully ask the Legislature to make such a grant of swamp lands in the upper peninsula as will secure the construction of a railroad from Mackinac to con-



nect the railroads of the upper peninsula, and thus secure to the people of that portion of our State easy access to the political and commercial capitals, and to the merchants and farmers of our State an equal chance with the merchants of Chicago and farmers of Illinois for the trade of that section.

*Resolved*, That a copy of this preamble and resolution be forwarded to the secretary of the Governor of the State, the President of the Senate and Speaker of the House of Representatives.

#### REPORTS OF STANDING COMMITTEES.

By the joint committee on Reform School and State Prison:

The committee on the Reform School and the State Prison, to whom was referred

A bill to amend sections 1, 4, 5, and 7, of an act to provide for the appointment of a Board of Commissioners for the general supervision of Charitable, Penal, Pauper, and Reformatory Institutions, and defining their duties and powers," approved April 17, 1871, being sections 8191, 8194, 8195, and 8197 of the compiled laws of 1871, and to add three new sections thereto,

Have considered the same, and respectfully report, that the object of said bill is—

*First*. To increase the number of the members of said Board from three to four, and to make the Governor of the State *ex officio* a member thereof;

*Second*. To provide that the Governor, if he shall deem it for the general good, may authorize a member of said board, or the Secretary thereof, to visit institutions of the best repute in other States, similar to our own, and by careful inspection investigate and ascertain the principles upon which the same are conducted, and the practical workings thereof, and report thereon for the information and benefit of the institutions of this State;

*Third*. To authorize said Board, with the approval of the

Governor, under carefully guarded restrictions, to transfer certain offenders from one prison to another ;

*Fourth.* To enable the Governor, if he shall think best, to appoint a suitable and discreet female to visit and inspect such of the State and county institutions as said Board may designate, especially such as have the care and custody of women, and children of tender years ;

*Fifth.* To make more ample provision for the revision of the penal code.

The committees, upon due consideration, are of the opinion that these amendments are desirable and proper to be made, and have therefore instructed us to report the bill back with a recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS,

*Chairman Committee on State Prison.*

WM. CHAMBERLAIN.

*Chairman Committee on Reform School.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the joint committee on Asylum for the Insane, and the Asylum for the Deaf, Dumb, and Blind :

The joint committee on Asylum for the Insane, and the Asylum for the Deaf, Dumb, and Blind, to whom was referred

A bill to provide for the collection of statistical information of the insane, deaf, dumb, and the blind, in this State, and to repeal a joint resolution relative to statistical information of the insane, deaf, dumb, and the blind, approved April 3d, 1848, being section 1883, chapter 52, compiled laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. J. BONINE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Grant asked and obtained leave of absence for the committee on ways and means for the afternoon.

Mr. Fancher asked and obtained leave of absence for himself, indefinitely, on account of sickness.

MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER, }  
*Lansing, February 21, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following joint resolution :

Senate joint resolution No. 5 entitled

Joint Resolution asking the Congress of the United States to provide for the improvement of the harbor at the mouth of the Manistique, on Lake Michigan ;

Which has passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked. .

Very respectfully,

JAMES H. STONE,  
*Secretary of the Senate.*

The bill was read a first and second time by its title, and,  
On motion of Mr. Buell,

The rule requiring the second and third reading of bills to be on different days, was suspended, and the joint resolution was put upon its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bartholomew,

Mr. Grant,  
Green,  
Greusel,  
Haire,

Mr. Ripley,  
Robinson,  
Robertson,  
Scott,

Mr. Blackman,	Mr. Harris,	Mr. Sessions,	
Bonine,	Haywood,	Shaw,	
Bottomley,	Hertzler,	Simpson,	
Briggs,	Hewitt,	Smith,	
Brunson,	Hoar,	Speed,	
Buell,	Hosner,	Striker,	
Burns,	Hoyt,	Thomas,	
Caplis,	Kellogg,	Thompson,	
Carter,	Kipp,	Van Aken,	
Chafey,	Lewis,	Van Scoy,	
Chamberlain,	Lockwood,	A. Walker,	
Cook,	Luce,	B. Walker,	
Curtis,	Markey,	J. Walker,	
Dinturff,	Mitchell,	L. Walker,	
Drake,	Morse,	Walton,	
Drew,	Noyes,	E. C. Watkins,	
Edwards,	O'Dell,	Welch,	
Fancher,	Parsons,	Welker,	
Fey,	Perry,	Wheeler,	
Garfield,	Pierce,	Withington,	
Garvelink,	Priest,	Wixson,	
Gilmore,	Remer,	Zimmerman,	
Goodrich,	Rich,	Speaker,	81
	NAYS.		0

Title and preamble agreed to.

Pending the announcement of the vote,

Mr. Bonine moved that Mr. Perry be excused from voting ;

Which motion did not prevail.

Mr. Perry then voted as recorded above.

The Speaker also announced the following:

SENATE CHAMBER, }  
Lansing, February 19, 1873. }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House manuscript bill, entitled

A bill to amend sections 5, 7, 8, 14, 35, 36, and 44 of the revised charter of the village of Albion, being an act entitled "An act to incorporate the village of Albion," approved March, 1871, and, being act No. 251 of the session laws of 1871 ;

And to inform the House that the Senate has amended the same as follows :

1. By striking out in line 8, of recited section 7, the words "for each or all of said districts ;"

2. By striking out in line 9, of recited section 7, the words "or their," twice occurring therein ;

3. By inserting after the word "cistern," in line 83 of same section, the words "except that no such wells and cisterns or reservoirs of water shall be established and constructed unless a majority of the individuals owning the property to be assessed therefor shall petition the common council for that purpose ;"

4. By striking out in lines 1 and 2, of recited section 44, the words, "And all fines arising under the violation of any of the provisions of this charter and all ;"

5. By adding to recited section 44 the following : "And all moneys arising from fines and penalties recovered for the violation of any penal ordinance under the provisions of this charter, shall be paid into the treasury for the benefit of the library fund, as provided by the constitution ;"

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Robinson moved that the House concur in the amendments made to the bill by the Senate.

Which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Blackman,  
Bonine,

Mr. Grant,  
Green,  
Greusel,  
Haire,  
Harris,

Mr. Remer,  
Ripley,  
Robertson,  
Robinson,  
Scott,

Mr. Bottomley,	Mr. Haywood,	Mr. Sessions,
Briggs,	Hertzler,	Simpson,
Brunson,	Hewitt,	Smith,
Buell,	Hoar,	Speed,
Burns,	Hosner,	Striker,
Caplis,	Hoyt,	Thomas,
Carter,	Kellogg,	Thompson,
Chafey,	Kipp,	Van Aken,
Chamberlain,	Lewis,	A. Walker,
Cook,	Lockwood,	B. Walker,
Curtis,	Luce,	J. Walker,
Dinturff,	Markey,	L. Walker,
Drake,	Mitchell,	Walton,
Drew,	Morse,	E. C. Watkins,
Edwards,	Noyes,	Welch,
Fancher,	O'Dell,	Welker,
Fey,	Parsons,	Withington,
Garfield,	Perry,	Wixson,
Garvelink,	Pierce,	Zimmerman,
Goodrich,	Priest,	Speaker, 75
	NAYS.	0

The bill was referred to the committee on engrossment and enrollment for enrollment.

#### THIRD READING OF BILLS.

House bill No. 118, entitled

A bill to amend sections 1 and 2 of an act No. 365, session laws of 1869, entitled "An act to revise the charter of the village of Chelsea," approved March 30, 1869,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Noyes moved to amend the bill by striking out the word "thereafter" in line 3, section 2;

Which motion prevailed, two-thirds of all the members elect voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Robertson,
Armstrong,	Haire,	Scott,
Bailey,	Harris,	Sessions,

Mr. Blackman,	Mr. Haywood,	Mr. Shaw,	
Bonine,	Hertzler,	Simpson,	
Bottomley,	Hewitt,	Smith,	
Briggs,	Hoar,	Speed,	
Brunson,	Hosner,	Striker,	
Buell,	Hoyt,	Thomas,	
Burns,	Kellogg,	Thompson,	
Carter,	Kipp,	Van Aken,	
Chafey,	Lewis,	Van Scoy,	
Chamberlain,	Lockwood,	A. Walker,	
Cook,	Luce,	B. Walker,	
Curtis,	Markey,	J. Walker,	
Dinturff,	Mitchell,	L. Walker,	
Drake,	Morse,	Walton,	
Drew,	Noyes,	E. C. Watkins,	
Edwards,	O'Dell,	Welch,	
Fancher,	Parsons,	Welker,	
Fey,	Pierce,	Wheeler,	
Garfield,	Priest,	Withington,	
Garvelink,	Remer,	Wixson,	
Goodrich,	Rich,	Zimmerman,	
Grant,	Ripley,	Speaker,	77
Green,	Robinson,		
	NAYS.		0

Title agreed to.

On motion of Mr. Noyes,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 61, entitled,

A bill to amend sections 5657 and 5658 of the compiled laws of 1871, being section 7 and 8 of an act entitled "An act to provide for the appointment of a State reporter," approved April 17, 1871,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Speed moved to amend the bill by inserting after the word "fund," in line 11, section 7, the words, "In case of sales to any one person, at one time, of twenty-five volumes or over, the 20 per cent aforesaid may be deducted from the selling price of such volumes. When the edition of any volume

authorized to be sold by the State Librarian, shall be exhausted, a new edition of the same number of volumes shall be printed, bound, and sold as provided in this act relative to the first edition ;”

Which motion prevailed, two-thirds of all the members elect voting therefor.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Greusel,	Mr. Rich,
Armstrong,	Haire,	Ripley,
Bailey,	Harris,	Robinson,
Bartholomew,	Haywood,	Robertson,
Blackman,	Hertzler,	Scott,
Bonine,	Hewitt,	Sessions,
Bottomley,	Hoar,	Shaw,
Briggs,	Hosner,	Smith,
Buell,	Kellogg,	Speed,
Burns,	Kipp,	Striker,
Caplis,	Lewis,	Thomas,
Chafey,	Lockwood,	Thompson,
Cook,	Markey,	Van Scoy,
Curtis,	Mitchell,	A. Walker,
Dinturff,	Morse,	B. Walker,
Drake,	Noyes,	J. Walker,
Drew,	O'Dell,	L. Walker,
Edwards,	Parsons,	Walton,
Fancher,	Perry,	Welch,
Fey,	Pierce,	Wheeler,
Gilmore,	Priest,	Withington,
Grant,	Remer,	Zimmerman,
Green,		

67

## NAYS.

Mr. Brunson,	Mr. Goodrich,	Mr. Van Aken,
Carter,	Hoyt,	Welker,
Garfield,	Luce,	Wixson,

9

Title agreed to.

Mr. Speed moved that the bill be ordered to take immediate effect ;

Which motion did not prevail.



## MOTIONS AND RESOLUTIONS.

Mr. Gilmore moved that a joint resolution now in the hands of the judiciary committee, entitled

Joint resolution proposing an amendment to section 3 of article 4 of the constitution of the State, relative to the House of Representatives, and the mode of electing members thereto,

Be ordered printed at once ;

Which motion prevailed.

Mr. Van Acken moved to discharge the committee of the whole from the further consideration of Senate bill No. 13, entitled

A bill to authorize the city of Coldwater to borrow money to pay certain claims and demands due and to become due, against said city ;

Which motion prevailed.

On motion of Mr. Van Aken,

The bill was placed on the order of third reading.

Mr. Speed moved to take from the table the following resolutions :

*Resolved*, That the committee on municipal corporations be instructed to so amend the bill for the incorporation of cities, as to provide—

*First*, That no city shall be incorporated until it shall have a population exceeding 5,000 in number ;

*Second*, That each city shall have three wards and three supervisors for 5,000 inhabitants, and an increase of one additional ward and one additional supervisor for each additional 3,000 inhabitants in excess of the number of inhabitants in the city at the time of incorporation ;

Also,

*Resolved*, That the committee on municipal corporations be instructed to so amend the bill for the incorporation of cities as to provide for the appointment of an assessor for the city at large, and that the assessor and aldermen for each ward shall be members of the board of supervisors of the county, and to

provide for the appointment of an independent board of review of assessments made in the city ;

Which motion prevailed.

On motion of Mr. Speed,

The resolutions were made the special order for Tuesday next at 2:30, P. M.

#### GENERAL ORDER.

On motion of Mr. Hertzler,

The House went into committee of the whole on the general order,

Mr. Noyes in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. House bill No. 82, entitled

A bill to organize the township of Otsego Lake, in the unorganized county of Otsego ;

2. House bill No. 83, entitled

A bill to amend an act entitled "An act to lay out and establish a State road in the counties of Midland and Saginaw, and to appropriate certain non-resident highway taxes therefor," by adding a new section thereto ;

3. House bill No. 86, entitled

A bill to amend sections 9 and 10 of an act for the relief of school districts, approved February 7, 1855, being sections 3721 and 3722 of chapter 136 of the compiled laws of 1871.

4. House bill No. 87, entitled

A bill relative to the issuing of executions on judgments obtained upon writs of attachments when not personally served ;

5. House bill No. 91, entitled

A bill to vacate and discontinue a certain State road in the township of Jamestown, in the county of Ottawa ;

Have made no amendments thereto, and have directed their

chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bills :

6. House bill No. 60, entitled

A bill to amend section 1 of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869, being section 2093 of the compiled laws of 1871 ;

7. House bill No. 114, entitled

A bill to discontinue that portion of a certain State road known as the "Grand Rapids and Greenville State road," running across the southwest quarter of section twenty-two in township No. 9 north, of range No. 10 west ;

8. House bill No. 85, entitled

A bill to equalize and pay State bounties, and to make the necessary appropriations therefor ;

9. House bill No. 89, entitled

A bill to amend sections 16 and 22 of chapter 266, being sections 8033 and 8039 of the compiled laws of 1871, entitled "County jails and the regulation thereof ;"

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled joint resolution :

House joint resolution No. 6, entitled

Joint resolution instructing the Board of State Auditors to make a settlement with Frederick A. Long ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

M. J. NOYES, *Chairman.*

Report accepted and committee discharged.

The first five mentioned bills and the joint resolution were placed on the order of third reading.

On motion of Mr. Bartholomew,

The House concurred in the amendments made by the committee to the last four mentioned bills, and they were placed on the order of third reading.

The House took up the order of

#### MESSAGES FROM THE GOVERNOR.

The Speaker announced the following :

*Lansing, February 21, 1873.*

*To the House of Representatives :*

I have this day approved, signed, and deposited in the office of the Secretary of State, the following entitled acts :

1. An act to amend sections 9 and 27 of an act entitled "An act to incorporate the city of Alpena," being act No. 249 of the session laws of 1871;

2. An act to amend section 1 of "An act authorizing any persons to construct lines of electric telegraph in the State of Michigan, being section 1608, in chapter 38 of the compiled laws of 1871 ;

3. An act to amend an act entitled "An act to authorize the formation of telegraph companies," being chapter 80 of the compiled laws of 1871 ;

4. An act to authorize the city of Ann Arbor to borrow money for certain purposes ;

5. An act to legalize the tax roll of the township of Rubicon, in the county of Huron, for the year 1872 ;

6. An act to provide for legalizing certain bonds heretofore issued by the village of Pentwater.

JOHN J. BAGLEY.

The message was laid on the table.

## MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, February 21, 1873.* }

*To the Speaker of the House of Representatives:* . . .

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 68, entitled

A bill to amend section 22 of an act, approved February 14, 1869, entitled “An act further to preserve the purity of elections, and to guard against the abuse of the elective franchise by a registration of electors,” being section 180 of the compiled laws of 1871;

2. Senate bill No. 53, entitled

A bill to legalize the assessment roll of the township of Clair Union, in Missaukee county, for the year 1872;

3. Senate bill No. 58, entitled

A bill to authorize the commissioners of highways of the township of Farmington, in the county of Oakland, to procure a re-survey of the roads and public highways of said township, to supply the loss of the original record thereof, heretofore destroyed by fire;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on elections.

The second named bill was read a first and second time by its title, and referred to the committee on local taxation.

The third named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing. February 21, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills :

1. Senate bill No. 59, entitled

A bill to amend section 1 of chapter 109, entitled "An act to provide for the incorporation of institutions of learning," being section 3134 of the compiled laws of 1871 ;

2. Senate bill No. 61, entitled

A bill to amend "An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications," being act No. 97, approved March 7, 1861, by adding a new section thereto to stand as section 5 of said act ;

3. Senate bill No. 62, entitled

A bill to provide for the construction a State road in the county of Newaygo ;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first and second named bills were read a first and second time by their titles, and referred to the committee on private corporations.

The third named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Noyes moved that the House take a recess until 7 o'clock this evening ;

Pending which,

On motion of Mr. Welker,

The House adjourned.

*Lansing, Monday, February 24, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Roll called: quorum present.

Prayer by Rev. Mr. Bryant.

Absent without leave, Messrs. Bailey, Bonine, Bottomley, Caplis, Eggleston, Garvelink, Goodrich, Grant, Haire, Haywood, Lewis, E. R. Miller, Mitchell, Morse, Noyes, Parsons, Remer, Robinson, Sanderson, Shaw, Simpson, Smith, Speed, Thompson, B. Walker, C. W. Watkins, Withington, Zimmerman.

On motion of Mr. Garfield,

Leave of absence was granted to all the absentees for the day.

Mr. Warren, by unanimous consent, offered the following:

WHEREAS, Intelligence has reached us that one of our esteemed brothers, Hon. Sam. H. Blackman, has met with a serious, if not fatal injury, in a railroad accident which occurred this morning in the vicinity of Jackson; therefore, be it

*Resolved*, That a committee of two be appointed to proceed at once to Jackson, to ascertain the actual condition of our brother, and take such steps as may be deemed proper, and report the same to this House;

Which was adopted.

The Speaker announced as the committee under the above resolution, Messrs. Warren and Briggs.

#### PRESENTATION OF PETITIONS.

By Mr. Green: Petition of A. J. Blackbird, F. Wasson, Simon Ky-i-go-be-nes-es, and 27 other citizens of Emmet county, praying for the prohibition of fishing in the waters of Lake Michigan bordering on Emmet county with pound nets.

Referred to the committee on fisheries.

The following is the petition:

*To the Honorable, the Legislature of the State of Michigan :*

We, the undersigned, citizens of the State of Michigan, would respectfully ask your honorable body as legislators to pass a law prohibitory of driving or setting pound nets on the waters along the shores of Emmet county, Lake Michigan, for the protection of fish from total destruction on its said waters, as your petitioners know this to be a fact; that the inhabitants thereof in said county are suffering greatly for this necessary food, because of the scarcity of fish on these waters along the said shore, on account of the killing of whitefish and other fishes with pound nets every season on these shores or its waters, and taken or shipped to other ports for market.

Your petitioners will ever pray.

By Mr. Bartholomew: Petition of Jacob Berner and 36 others, citizens of Lansing, in favor of an amendment to the constitution, authorizing a license law;

Also: Petition of Gottlob Bauerly and 80 others for the same purpose;

Also: Petition of Fred A. Hahre and John Shultz for the same purpose;

Also: Petition of John Terrell and 30 others for the same purpose;

Also: Petition of August Feele, Henry Keiger, and 87 others for the same purpose;

Also: Petition of C. M. Ayres and 36 others for the same purpose;

Also: Petition of Wm. Ueberle, Samuel Shirts, and 58 others for the same purpose;

Referred to the committee on State affairs.

By Mr. Fey: Remonstrance of John G. Owen, J. P. Allison, D. B. Reeve, and 200 others of East Saginaw, against abolishing the office of county superintendent of schools;

Referred to the committee on education.

By Mr. Lockwood: Petition of S. B. Townsend, A. J. Wilber and 30 others, for the passage of Senate bill No. 31, being



a bill to amend sections 2 and 14 of chapter 88 of the compiled laws of 1871, entitled an act to authorize the formation of corporations for the running, booming, and rafting of logs ;

Referred to the committee on lumber and salt interests.

The following is the petition :

*To the Honorable House of Representatives of the State of Michigan :*

Your petitioners would humbly pray that you do pass Senate bill No. 31, as amended by the Senate, being a bill to amend sections 2 and 14 of chapter 88 of the compiled laws of 1871, entitled "An act to authorize the formation of corporations for the running, booming and rafting of logs," and would show the following reasons for asking that this bill be passed :

The object sought by this amendment is to compel all the booming companies of the State to make their charges for work in sorting, delivering, or taking care of logs by the thousand feet, board measure.

Throughout the State of Michigan, on all the rivers, without exception, logs are cut, skidded, hauled, driven down the streams, sawed, shipped, and sold by the thousand feet ; and on all the rivers, except the Muskegon, the sorting and delivering by the various booming companies is done and paid for in the same manner.

On the Muskegon river a different practice prevails, and an effort has been made to introduce the same practice on some of the waters of the Saginaw river. The practice alluded to is that of making the charges for rafting and delivering logs by the log, charging as much for delivering a log scaling 40 feet as for one scaling 1,200 feet.

This is an unjust discrimination against small logs and against persons owning timber of small size, as it compels them to leave large quantities of small logs in the woods to be destroyed by fire or decay, thus entailing a heavy loss to the land owner as well as to the State at large.

The average charge for sorting and delivering logs by the

Muskegon Booming Company is about 13 cents per log, and the highest price 15 cents per log. For keeping the same in store boom for thirty days 10 cents per log. Thus, on logs taking twelve to the thousand feet (and many lots of logs are cut on Manistee, Pere Marquette, and other rivers of the State, of this size), the charges for sorting and delivering would be, to some of the mills, \$1 80 per M. feet, and for storing thirty days \$1 20 per M. feet—making in all \$3 00 per M. feet. The cost to the booming company for doing this work is not one third of this sum. At the same time they deliver logs averaging 1,000 feet each at 15 cents, a price that does not cover more than one half the expense for doing the work.

On most of the rivers of the State logs are cut as small as ten inches in diameter, and on some rivers as small as eight inches in diameter. By Doyle's scale a log ten inches in diameter and twelve feet in length scales 27 feet. It takes 37 of these logs to make a thousand feet. The price for delivering a thousand feet of logs of this size, by the Muskegon Booming Company, would be \$5 55, and for storing thirty days, \$3 70; total, \$9 25. This price is ten times the actual cost of doing the work, and nearly or quite as much as the lumber is worth at the mill after it is sawed. Under such a system of charges what can timber owners do with logs of this size, and even of logs much larger, except to leave them in the woods to rot or be burned?

When we seek for the reason for this discrimination, we find that a large majority of the stockholders in the Muskegon Booming Company own but little, if any, pine timber; and it is a well known fact that lumber manufacturers make their largest profits from their largest and best logs, and by making this discrimination they render it practicably impossible for owners of timber to cut their small timber into logs, and in that way get the kind of logs they want.

By Mr. Lockwood: Petition of A. F. McDonald, W. F. McDonald, Duncan F. McDonald, A. H. McDonald, Allan McDonald, Austin McDonald, John C. McDonald, N. A.

**McDonald, John A. McDonald, John T. McDonald, and 47 others** (not all McDonalds), of the village of Au Sauble, in Iosco county, praying for the repeal of the prohibitory liquor laws, and the passage of an act submitting to the people the repeal of section 47, article 4, of the constitution ;

Referred to the committee on State affairs.

**By Mr. Thomas:** Petition of J. W. Stone, H. S. Manson, and 12 others of Allegan county, asking for a reorganization of the 9th and 14th judicial circuits, and the creation of the 20th circuit ;

Referred to the committee on judiciary.

**By Mr. Drew:** Petition of John George, Smith Hurd, and 228 others of Jackson county, in favor of an amendment to the constitution allowing the passage of a license law ;

Referred to the committee on State affairs.

**By Mr. Walton:** Remonstrance of William Bowerman and 46 others, residents of the territory in the township of Palmyra, and county of Lenawee, proposed by a bill now pending in the Legislature to be detached from the said township of Palmyra and attached to the township of Blissfield, against the passage of said bill ;

**Also:** Remonstrance of W. B. Hill, supervisor, T. H. Reynolds, town clerk, H. J. Baldwin and R. Robinson, justices of the peace, and 96 others of the township of Palmyra, for the same purpose ;

Referred to the committee on towns and counties.

**By Mr. Howard:** Remonstrance of R. E. French and 24 others, of St. Clair county, against the repeal of the act creating county superintendents of schools ;

Referred to the committee on education.

**By Mr. Carter:** Petition of J. P. Bingham, Henry Towle, C. T. Foot, and 107 others, of Livingston county, for the repeal of the law creating the office of county superintendents of schools ;

Referred to the committee on education.

By Mr. Burns: Petition of Francis W. Higgins and 28 others, of Springwells, asking for an amendment to the primary school law so as to make it incumbent on the township clerk to call a special school meeting to fill vacancies in the district board;

Referred to the committee on education.

By Mr. Wheeler: Memorial of the board of supervisors of Oceana county against the repeal of the law creating the office of county superintendent of schools;

Referred to the committee on education.

The following is the memorial:

At the late special meeting of the board of supervisors of Oceana county, in the State of Michigan, begun and held at the court-house in the village of Hart, in said county, on the 17th day of February, A. D. 1873, the following resolutions were adopted by the board:

WHEREAS, Certain petitions are being circulated and signed and sent to the Legislature, praying that the act creating the county superintendency of schools be abolished; and

WHEREAS, We could only look upon such a step as being a step backward, and a great calamity to the educational interests of the State of Michigan; therefore, be it

*Resolved*, By the board of supervisors of Oceana county, that we respectfully remonstrate against the repeal of said act; and be it further

*Resolved*, That we instruct our county clerk to forward a certified copy of these resolutions to our Representative at Lansing.

By Mr. Wheeler: Memorial of the minority of the board of supervisors of Oceana county, asking the repeal of the law creating county superintendents of schools;

Also: Remonstrance of W. J. Tenant and 60 others, of Oceana county, against the repeal of the law creating the office of county superintendents of schools;

Referred to the committee on education.

## REPORTS OF STANDING COMMITTEES.

By the committee on religious and benevolent societies :

The committee on religious and benevolent societies, to whom was referred

A bill to authorize Protestant Episcopal Churches, organized under the laws of this State to alter and amend their articles of agreement,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

## THIRD READING OF BILLS.

House bill No. 77, entitled

A bill to make an appropriation in aid of the Michigan State Pomological Society,

Being under consideration,

On motion of Mr. Scott,

The bill was laid on the table.

On motion of Mr. Lockwood,

The order of third reading of bills was passed over for the day.

## MOTIONS AND RESOLUTIONS.

Mr. Welker moved to take from the table

A bill defining the duties of township inspectors of schools ;

Which motion prevailed.

On motion of Mr. Welker,

The bill was recommitted to the committee on education.

Mr. Welker moved to take from the table

A bill to define the duties and labors of county superintendents of schools.

Which motion prevailed.

Mr. Welker moved that the bill be ordered printed, placed on the general order, and referred to the committee of the whole ;

Which motion prevailed.

#### GENERAL ORDER.

On motion of Mr. Thomas,

The House went into committee of the whole on the general order,

Mr. Welker in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. House bill No. 88, entitled

A bill concerning seals to be affixed to official documents.

And have directed their chairman to report the same back to the House with the recommendation that it be laid on the table.

The committee of the whole have also had under consideration the following entitled bills :

2. House bill No. 92, entitled

A bill to provide punishment for fraudulently removing or embezzling goods and chattels, leased, or subject to contracts of purchase,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following entitled bills :

3. House bill No. 94, entitled

A bill to amend sections 11, 77, 79, and 91, and to repeal section 49 of the primary school law, being sections 3592, 3646, 3648, and 3654 of the compiled laws of 1871 ;

4. House bill No. 95, entitled

A bill to amend sections one (1) and fourteen (14) of an act for the relief of school districts, being sections 3713 and 3726 of the compiled laws; and to repeal section 13 of the same, being section 3724 of the compiled laws of 1871 ;

5. House bill No. 96, entitled

A bill to amend section 9 of an act prescribing the duties of the Superintendent of Public Instruction, being section 3476 of the compiled laws of 1871 ;

6. House bill No. 97, entitled

A bill to amend section six (6) and sixteen (16) of an act to provide for county superintendents of schools; being act No. 55 of the session laws of 1867, approved March 13th, 1867 ;

7. House bill No. 98, entitled

A bill to amend sections 4, 7, and 9 of an act entitled "An act to provide for county superintendents of schools, and to amend section 91 and to repeal sections 74, 85, 86, 87, 88, 89 and 90, of chapter 78 of the compiled laws," approved March 13th, 1867, and being sections 3759, 3762, and 3764 of the compiled laws of 1871 ;

And have directed their chairman to report the several bills back to the House, with the recommendation that they be made the special order for Thursday, March 6, at 2.30 P. M.

The committee of the whole have also had under consideration the following entitled bill :

8. Senate bill No. 16, entitled

A bill to provide for the construction of a State road in the county of Newaygo ;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the House, and ask leave to sit again.

J. E. WELKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Ferguson,

The House concurred in the recommendation of the committee relative to the first-named bill, and it was laid on the table.

On motion of Mr. Kipp,

The House concurred in the amendment made to the second named bill by the committee, and it was placed on the order of third reading.

On motion of Mr. Van Aken,

The House concurred in the recommendation of the committee relative to the third, fourth, fifth, sixth, and seventh named bills by the committee, and they were made the special order for Thursday, March 6th.

On motion of Mr. Ferguson,

The House concurred in the request of the committee, relative to the last named bill, and leave was granted them to sit again.

Mr. J. Walker, by unanimous consent, offered the following:

*Resolved*, That the clerk draw his warrant to the person entitled to receive the same, to pay for any telegrams that may be sent or received by the Speaker of the House, in relation to the accident that this morning occurred to the Hon. S. H. Blackman ;

Which was adopted.

Mr. A. Walker asked and obtained leave of absence for himself, indefinitely.

The committee on engrossment and enrollment reported as follows:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following bill:

House bill No. 80, entitled

A bill to amend section 8 of an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15th, A. D. 1861, and to add a new section to said act.

C. D. LUCE, *Acting Chairman*.

Mr. Perry moved that the House adjourn.

Mr. Ferguson raised the point of order that, Mr. Perry, not



being in his seat, could not properly address the Speaker, and make a motion.

The Speaker decided the point well taken.

On motion of Mr. Ferguson,

The House adjourned.

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*Lansing, Tuesday, February 25, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker *pro tem*.

Prayer by Rev. Mr. Mudge.

Roll called: quorum present.

Absent without leave: Messrs. Bailey, Eggleston, Goodrich, Morse, Remer, Shaw, Smith, Speed, E. C. Watkins, and West.

Mr. Rich asked and obtained leave of absence for Mr. Bailey indefinitely, on account of sickness.

Mr. Sessions asked and obtained leave of absence for Mr. Morse for the day.

Mr. Walton asked and obtained leave of absence for Mr. Smith for the day.

Mr. Drew asked and obtained leave of absence for Mr. Goodrich for the day.

Mr. Perry asked and obtained leave of absence for Mr. Remer for the day.

Mr. Buell asked and obtained leave of absence for Mr. Eggleston for the day.

Mr. Warren asked and obtained leave of absence for Mr. Shaw for the day.

Mr. Briggs asked and obtained leave of absence for Mr. E. C. Watkins indefinitely, on account of sickness.

Mr. Burns asked and obtained leave of absence for Mr. Speed for the forenoon.

Mr. Chamberlain asked and obtained leave of absence for Mr. West for the day.

## PRESENTATION OF PETITIONS.

By Mr. Hoyt: Resolution of the county convention of Tuscola county, asking for the repeal of the law creating county superintendents of schools ;

Referred to the committee on education.

The following is the resolution:

*Resolved*, That this convention deem the office of county superintendent of common schools unnecessary and ineffective, and request their Senator and Representative in the Legislature to use their influence to secure the repeal of said law;

Which was, by vote, unanimously adopted.

C. C. STODDARD, *Secretary*.

By Mr. Olimie: Preamble and resolutions of the county convention of St. Joseph county, unanimously in favor of county superintendency of schools;

Referred to the committee on education.

The following is the preamble and resolution:

WHEREAS, The system of county superintendency of schools is meeting with strong opposition in some counties of the State ; and

WHEREAS, We believe this opposition arises more from the faulty manner in which the system has been executed than from any inherent defects which it contains, the office in such counties having been bestowed upon men for political reasons rather than from considerations of fitness and devotion possessed by the aspirants ; and

WHEREAS, We believe that to every intelligent, unbiased observer, in St. Joseph county, the benefits of this system as compared with the old, are fully manifest in the better qualifications of teachers and their greater devotion to all the duties devolving upon them ; therefore

*Resolved*, That we most heartily deprecate a return to the old system, believing that it would be a backward step in the history of our noble State, and disgraceful in the eyes of the

twenty-eight sister States of the Union which now have this system, or its equivalent; and therefore

*Resolved*, That we most earnestly urge our Senator and Representatives in the Legislature to use all honorable means to prevent the abolition of the system; and

*Resolved*, That a copy of these resolutions be forwarded to our Senator and Representatives.

The above resolutions were passed unanimously at the Republican county convention held at Centreville, February 22d, A. D. 1873.

H. K. PARSONS, *President*.

R. R. PEALER, *Secretary*.

By Mr. Climie: Petition of C. T. Chaffee, W. L. Worthington, and 43 others, in favor of the system of county superintendency of schools;

Referred to the committee on education.

By Mr. Perry: Petition of Thomas Turk and 102 others, for the repeal of the prohibitory liquor law and the enactment of license law;

Referred to the committee on State affairs.

By Mr. Parsons: Remonstrance of J. C. Bishop and 23 others, against repealing the law creating the office of county superintendent of schools;

Referred to the committee on education.

By Mr. Walton: Petition of J. H. Reynolds, M. D., A. Mitchell, and 69 others, citizens of Palmyra, Lenawee county, asking the repeal of the law creating county superintendents of schools;

Referred to the committee on education.

By Mr. Rose: Petition of George Winkel, E. S. Decker, B. Davis, S. S. Chipman, L. Cobb, and G. W. Warren, supervisors of the county of Mecosta, praying for the removal of A. H. Giddings from the office of circuit judge;

Referred to the special committee on that subject.

By Mr. Rose: Petition of C. A. Butler and 16 others of Oscoda county, praying for the taxation of railroad lands;

Also: Petition of Daniel McGovern, James Fuller, and 30 others, for the same purpose ;

Referred to the committee on railroads.

By Mr. Harris: Memorial of F. G. White and 19 others, asking a township on Isle Royal, in Keweenaw county ;

Referred to the committee on towns and counties.

By Mr. Withington: Remonstrance of Harvey Bush and 53 others, against certain of the proposed amendments to the charter of the city of Jackson ;

Also: Remonstrance of J. M. Holland and 16 others, for the same purpose.

Also: Remonstrance of W. R. DeLand and 52 others, for the same purpose ;

Also: Remonstrance of J. L. Videto and 48 others, for the same purpose ;

Referred to the committee on municipal corporations.

By Mr. Mitchell: Remonstrance of N. Chinch, G. C. Moore, and 40 others, against a law authorizing the city of Marshall to issue bonds ;

Referred to the committee on municipal corporations.

By Mr. Sanderson: Petition of L. B. Dibble, Nicholas Zang, T. Walkelee and 54 others, of Battle creek, in favor of an amendment to the constitution authorizing a license law ;

Referred to the committee on State affairs.

By Mr. Greusel: Petition of A. Ives, J. Y. D. Smith, Philo Parsons, Jay N. Brown, D. A. Winthrop, O. Bourke, and 640 others, for the passage of a bill to provide a system of taxation upon persons or corporations engaged in the manufacture or sale of spirituous liquors ;

Also: Petition of Eugene Sullivan, Thomas R. Ryan, W. C. Burroughs, H. Van Atten, H. P. Peck, Fred Chamberlain, and 750 others, for the same purpose ;

Also: Petition of J. D. Mathews, John F. Foxen, G. D. Roe, Esq., E. S. Bush, Thos. McTurney, O. Haedbacker, and 750 others, for the same purpose ;

Also : Petition of Michael Doran, Wm. Howard, C. L. Brandim, B. O. Foegorty, N. F. Rich, P. H. Bogue, and 640 others, for the same purpose.

Also : Petition of James Egan, Herman Schiling, John Egan, John Whelan, R. D. Gallagher, O. Johnson, and 750 others, for the same purpose ;

Referred to the committee on State affairs.

By Mr. Edwards : Petition of Weber Furniture company, Sutter Bros., Jelsch & Co., Schulenberg & Co., Moshers, Mitchell & Byran, Detroit & Milwaukee R. R. Co., and 750 others, for the passage of a bill to provide for a system of taxation upon persons or corporations engaged in the manufacture or sale of spirituous liquors ;

Also : Petition of Whitbeck & Chittenden, James G. Coats, M. Ermann, D. B. Brown, Ray Haddock, Austin B. Weber, and 640 others, for the same purpose ;

Also : Petition of C. A. Strelinger, J. B. Valentine, Geo. D. Stewart, J. Oditt, G. H. Axter, C. H. Schaller, and 640 others, for the same purpose ;

Also : Petition of C. A. Brockway, A. H. Emry, Chas. H. Van Dusen, W. D. Adams, D. Bremner, James R. Elliott, and 640 others, for the same purpose ;

Referred to the committee on State affairs.

By Mr. Wheeler : Memorial of the board of supervisors of Oceana county, against the measures now being taken for the impeachment of Hon. A. H. Giddings, judge of the 14th judicial circuit ;

Referred to the special committee on that subject.

By Mr. Buell : Remonstrance of the Kalamazoo county bar, against the removal of Judge Giddings ;

Referred to the special committee on that subject.

#### REPORTS OF STANDING COMMITTEES.

By the committee on Reform School :

The committee on Reform School, to whom was referred

A bill making appropriation for the current expenses of the

school for the years 1873 and 1874, and for improving the buildings and grounds, and increasing the library of said school,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. CHAMBERLAIN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on the State prison:

The committee on the State prison to whom was referred

A bill respecting officers and employes of the public institutions of the State,

Have considered the same, and respectfully report that the object of said bill is to apply to all the public institutions of the State a provision of law that no person shall be employed in an official capacity therein who indulges in the use of profane language, or who is addicted to the use of intoxicating liquors. It seems to the committee that the purpose contemplated by the bill is so clearly right that it needs only to be stated without argument to meet with general approval. If there are any places where vile language and drunkenness, or a disposition to drink, should be discouraged and strictly prohibited, it is in those institutions created by the State for the education of the young, the care of the afflicted, and the reformation of the erring. The "small vices," as they are sometimes called, do very much to destroy all the good effects of the best moral training and discipline, and should be sternly rebuked. We are happy to say that the institutions of Michigan, so far as the committee are advised, are generally and have been free from officers and employes of this tendency; but nevertheless we deem it but right that the State should,

by enactment, set its face against the employment of persons of this character, and therefore recommend the passage of the bill, and ask to be discharged from the further consideration of the subject.

FAYETTE PARSONS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies :

The committee on religious and benevolent societies, to whom was referred

A bill to repeal section 26 of chapter 108 of the compiled laws of 1871, being section 3077,

Report that they have had the same under consideration. The committee are of the opinion that the repeal of said section 26, chapter 108, would not be for the best interests of religious societies. Section 26, chapter 108 of the compiled laws of 1871, makes void all grants, conveyance, devise, or lease of any real estate unless made to a corporation organized under some statute of this State. Your committee are of opinion that said section does violence to no religious organization, and so far as holding real estate, it brings all religious societies on a common level. The committee have therefore instructed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Priest,

The bill was laid on the table.

The Speaker assumed the chair.

By the committee on military affairs :

The committee on military affairs to whom was referred

A bill to amend section one of an act entitled "An act to create a soldiers' aid fund for disabled Michigan soldiers, sail-

ors, and marines, and Michigan men who have served in the late war in other State organizations, or in the forces of the United States," the same being section 960 chapter 20 of the compiled laws of 1871,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The object of the bill is to increase the annual appropriation for the purposes named in its title from \$4,000 to \$5,000.

The reasons for the increase are that according to the report of the State Military Board, \$4,000 has proven, and is liable to continue insufficient.

W. H. WITHINGTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill relative to the payment of taxes,

Respectfully report that the time for the collection of taxes is frequently extended, in consequence of which the returns of the county treasurers are not made to the Auditor General by the first of April, as the law requires; consequently persons paying their taxes to the Auditor General are liable to pay interest until the returns are filed in the Auditor's office. This bill provides that when written application is made to the Auditor General to pay the taxes, accompanied by sufficient money therefor, the interest upon such taxes shall cease from the date of the application, if such application be made on or after the first day of April. Your committee are of the opinion that interest should no longer accrue after the payment of the taxes, and they have therefore directed me to



report the bill back to the House, with the recommendation that it do pass.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend section 124 of chapter 21, being section 1090 of the compiled laws of 1871, and being an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon,"

Respectfully report that section 1090, proposed to be amended, provides that tax lands remaining unsold for five years, shall, at the expiration of that time, be sold to the highest bidder without reference to the minimum established by law. Your committee have already reported against a bill for the repeal of this section. The sole object of this bill is to charge the time from five years to eight. It is claimed that the time of five years is too short for the more recently settled portions of the State, and that the present law works a hardship to many of the new towns. This law was passed in 1869, consequently these towns have already experienced their greatest hardships from its operation. Still, your committee believe that the passage of this bill will give relief to many localities without materially impairing the salutary effect of the law, and they have therefore directed me to report the same back to the House with the recommendation that it do pass, and ask to be discharged from the further consideration of the subject.

C. B. GRANT, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Buell asked leave to make a motion.

Leave was not granted.

## REPORTS OF SELECT COMMITTEES.

The special committee appointed in accordance with a resolution of this House to visit Jackson to ascertain the condition of Hon. S. H. Blackman, respectfully report they have visited Jackson, and find that our brother is recovering slowly from the effect of the concussion,—regaining consciousness by degrees,—though still unable to converse, or to comprehend the nature of his injury. The attending surgeons report that there is no fracture of the skull, and an increasing hope of his recovery. He is attended by his family and others from his place of residence.

A. K. WARREN,  
E. L. BRIGGS,  
*Committee.*

Report accepted.

## MESSAGES FROM THE SENATE.

The Speaker announced the following :

SENATE CHAMBER,  
*Lansing, February 24, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following concurrent resolution :

WHEREAS, A complete compilation of the general railroad legislation of the State of Michigan, containing the general railroad law of 1855, with amendments, supplemental acts, and all the enabling acts, together with the acts of Congress, and of the Legislature of this State, granting lands to railroad companies, has been duly arranged and published ;

AND WHEREAS, Not a single copy of this valuable book is owned by the State of Michigan ; therefore, to the end that said work may be provided for the use of the members of the Legislature and State officers, be it

*Resolved by the House of Representatives (the Senate concurring,) That the State Librarian be authorized and instructed*

to furnish forthwith one dozen copies of said compilation, and place the same in the State Library ;

In the passage of which the Senate has concurred.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The concurrent resolution was referred to the committee on engrossment and enrollment for enrollment.

### THIRD READING OF BILLS.

Senate bill No. 13, entitled

A bill to authorize the city of Coldwater to borrow money to pay certain claims and demands due and to become due, against said city,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,  
Armstrong,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Burns,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Gordon,

Mr. Greusel,  
Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,

Mr. Ripley,  
Robinson,  
Robertson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Simpson,  
Striker,  
Van Aken,  
Van Scoy,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
Welch,  
Welker,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,

Mr. Grant,  
Green,

Mr. Priest,  
Rich,

Mr. Speaker,

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NAYS.

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Title agreed to.

On motion of Mr. Van Aken,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 91, entitled

A bill to vacate and discontinue a certain State road in the township of Jamestown, in the county of Ottawa,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,  
Armstrong,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Burns,  
Cady,  
Caplis,  
Carter,  
Chafey,  
Chamberlain,  
Climie,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Gordon,

Mr. Grant,  
Green,  
Greusel,  
Haire,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,

Mr. Priest,  
Robinson,  
Robertson,  
Rose,  
Sanderson,  
Scott,  
Sessions,  
Simpson,  
Striker,  
Thomas,  
Thompson,  
Van Scoy,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Warren,  
C. W. Watkins,  
Welch,  
Welker,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

75

NAYS.

Mr. Gilmore,

Mr. Walton,

2

Title agreed to.

On motion of Mr. Curtis,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 89, entitled

A bill to amend sections 16 and 22 of chapter 266, being sections 8033 and 8039 of the compiled laws of 1871, entitled "County jails and the regulation thereof,"

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows

### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Ripley,
Armstrong,	Greusel,	Robinson,
Bottomley,	Haire,	Robertson,
Breitung,	Harris,	Rose,
Briggs,	Haywood,	Sanderson,
Brunson,	Hertzler,	Scott,
Burns,	Hewitt,	Sessions,
Cady,	Hoar,	Simpson,
Caplis,	Hosner,	Striker,
Carter,	Howard,	Thomas,
Chafey,	Hoyt,	Thompson,
Chamberlain,	Kellogg,	Van Aken,
Climie,	Kipp,	Van Scoy,
Cobb,	Knapp,	B. Walker,
Cook,	Lamb,	F. Walker,
Curtis,	Lockwood,	J. Walker,
Dinturff,	Luce,	Walton,
Drake,	Markey,	Warren,
Drew,	Mitchell,	C. W. Watkins,
Edwards,	Noyes,	Welch,
Ferguson,	O'Dell,	Welker,
Fey,	Parsons,	Wheeler,
Garfield,	Perry,	Withington,
Garvelink,	Pierce,	Wixson,
Gilmore,	Priest,	Zimmerman,
Grant,	Rich,	Speaker,

78

### NAYS.

Mr. L. Walker,

1

Title agreed to.

House bill No. 87, entitled

A bill relative to the issuing of executions on judgments

obtained upon writs of attachments when not personally served,

Was read a third time, and, pending the taking of the vote on the passage thereof,

Mr. Ripley moved to amend the bill by inserting in line 6, after the word "mentioned" the words "shall pay over to said justice ;"

Which motion prevailed.

The bill was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Rich,
Armstrong,	Green,	Ripley,
Breitung,	Haire,	Robinson,
Briggs,	Haywood,	Robertson,
Brunson,	Hertzler,	Rose,
Cady,	Hewitt,	Sanderson,
Caplis,	Hoar,	Simpson,
Chafey,	Hosner,	Thompson,
Cobb,	Howard,	Van Scoy,
Cook,	Kellogg,	B. Walker,
Curtis,	Kipp,	F. Walker,
Dinturff,	Knapp,	J. Walker,
Drake,	Lamb,	L. Walker,
Drew,	E. R. Miller,	Walton,
Edwards,	Mitchell,	C. W. Watkins,
Ferguson,	Noyes,	Welch,
Fey,	O'Dell,	Welker,
Garfield,	Parsons,	Wheeler,
Garvelink,	Pierce,	Withington,
Gilmore,	Priest,	Speaker, 60

#### NAYS.

Mr. Bottomley,	Mr. Hoyt,	Mr. Striker,
Burns,	Luce,	Van Aken,
Carter,	Markey,	Wixson,
Greusel,	Sessions,	Zimmerman, 12

Title agreed to.

House bill No. 86, entitled

A bill to amend sections 9 and 10 of an act for the relief of school districts, approved February 7, 1855, being sections 3721 and 3722 of chapter 136 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Ackley,	Mr. Haire,	Mr. Robertson,
Bottomley,	Harris,	Rose,
Breitung,	Haywood,	Sanderson,
Briggs,	Hertzler,	Scott,
Brunson,	Hewitt,	Sessions,
Burns,	Hoar,	Simpson,
Cady,	Hosner,	Striker,
Caplis,	Howard,	Thomas,
Carter,	Hoyt,	Thompson,
Chasey,	Kellogg,	Van Aken,
Climie,	Kipp,	Van Scoy,
Cobb,	Knapp,	B. Walker,
Cook,	Lamb,	F. Walker,
Curtis,	Luce,	J. Walker,
Dinturff,	Markey,	L. Walker,
Drake,	E. R. Miller,	Walton,
Edwards,	Mitchell,	Warren,
Ferguson,	Noyes,	C. W. Watkins,
Fey,	O'Dell,	Welch,
Garfield,	Parsons,	Welker,
Garvelink,	Perry,	Wheeler,
Gilmore,	Pierce,	Withington,
Gordon,	Priest,	Wixson,
Grant,	Rich,	Zimmerman,
Green,	Ripley,	Speaker,
Greusel,	Robinson,	
	NAYS.	

77

Mr. Drew,

1

Title agreed to.

House bill No. 85, entitled

A bill to equalize and pay State bounties, and to make the necessary appropriations therefor,

Being under consideration,

On motion of Mr. Grant,

The bill was recommitted to the committee of the whole.

House bill No. 83, entitled

A bill to amend an act entitled "An act to lay out and establish a State road in the counties of Midland and Saginaw,

and to appropriate certain non-resident highway taxes there for," by adding a new section thereto,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rich,
Armstrong,	Haire,	Ripley,
Briggs,	Harris,	Robinson,
Brunson,	Haywood,	Robertson,
Burns,	Hertzler,	Rose,
Cady,	Hewitt,	Sanderson,
Caplis,	Hoar,	Scott,
Carter,	Hosner,	Sessions.
Chafey,	Howard,	Simpson,
Climie,	Hoyt,	Striker,
Cobb,	Kellogg,	Thomas,
Cook,	Kipp,	Thompson,
Curtis,	Knapp,	Van Scoy,
Dinturff,	Lamb,	B. Walker,
Drake,	Luce,	F. Walker,
Drew,	Markey,	Warren,
Ferguson,	E. R. Miller,	Welch,
Fey,	Mitchell,	Welker,
Garfield,	Noyes,	Wheeler,
Garvelink,	O'Dell,	Withington,
Gordon,	Perry,	Wixson,
Grant,	Priest,	Zimmerman, 66

NAYS.

Mr. Edwards,	Mr. Van Aken,	Mr. Walton,
Greusel,	J. Walker,	C. W. Watkins,
Pierce,	L. Walker,	8

Title agreed to.

On motion of Mr. Ackley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 60, entitled

A bill to amend section 1 of an act entitled "An act to revise and consolidate the several acts relating to the protection of game, and for the better preservation of elk, deer, birds, and wild fowl," approved April 3, 1869, being section 2093 of the compiled laws of 1871,



Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Perry,
Armstrong,	Green,	Pierce,
Breitung,	Greusel,	Rich,
Briggs,	Haire,	Robinson,
Brunson,	Harris,	Robertson,
Burns,	Haywood,	Rose,
Cady,	Hertzler,	Sanderson,
Caplis,	Hewitt,	Scott,
Carter,	Hoar,	Striker,
Chafey,	Hosner,	Thomas,
Chamberlain,	Howard,	Thompson,
Cobb,	Hoyt,	Van Aken,
Cook,	Kellogg,	Van Scoy,
Curtis,	Kipp,	B. Walker,
Dinturff,	Knapp,	F. Walker,
Drake,	Lamb,	J. Walker,
Drew,	Lewis,	L. Walker,
Edwards,	Lockwood,	C. W. Watkins,
Ferguson,	Markey,	Welch,
Fey,	E. R. Miller,	Wheeler,
Garfield,	Mitchell,	Withington,
Garvelink,	Noyes,	Zimmerman,
Gordon,	O'Dell,	

67

## NAYS.

Mr. Climie,	Mr. Ripley,	Mr. Warren,
Gilmore,	Sessions,	Welker,
Priest,	Walton,	Wixson,

9

Title agreed to.

House bill No. 82, entitled

A bill to organize the township of Otsego Lake, in the unorganized county of Otsego,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Pierce,
Armstrong,	Green,	Priest,
Bottomley,	Greusel,	Ripley,
Breitung,	Haire,	Robinson,
Briggs,	Harris,	Robertson,

<b>Mr. Branson,</b>	<b>Mr. Haywood,</b>	<b>Mr. Rose,</b>	
Burns,	Hertzler,	Sanderson,	
Cady,	Hewitt,	Scott,	
Caplis,	Hoar,	Sessions,	
Carter,	Hosner,	Simpson,	
Chafey,	Howard,	Striker,	
Climie,	Hoyt,	Thomas,	
Cobb,	Kellogg,	Thompson,	
Cook,	Kipp,	Van Aken,	
Curtis,	Knapp,	B. Walker,	
Dinturff,	Lamb,	F. Walker,	
Drake,	Lewis,	J. Walker,	
Drew,	Lockwood,	L. Walker,	
Edwards,	Markey,	Warren,	
Ferguson,	E. R. Miller,	Wheeler,	
Fey,	Mitchell,	Withington,	
Garfield,	Noyes,	Wixson,	
Garvelink,	O'Dell,	Zimmerman,	
Gilmore,	Perry,	Speaker,	72
	NAYS.		0

Title agreed to.

On motion of Mr. Green.

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 92, entitled

A bill to provide punishment for fraudulently removing or embezzelling goods and chattels, leased or subject to contracts of purchase,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

<b>Mr. Ackley,</b>	<b>Mr. Green,</b>	<b>Mr. Rich,</b>
Armstrong,	Greusel,	Ripley,
Bottomley,	Haire,	Robinson,
Breitung,	Haywood,	Robertson,
Briggs,	Hertzler,	Rose,
Brunson,	Hewitt,	Sanderson,
Buell,	Hoar,	Scott,
Burns,	Hosner,	Sessions,
Cady,	Howard,	Simpson,
Caplis,	Hoyt,	Striker,
Chafey,	Kellogg,	Thomas,

<b>Mr. Climie,</b>	<b>Mr. Kipp,</b>	<b>Mr. Thompson,</b>	
Cobb,	Knapp,	Van Scoy,	
Cook,	Lamb,	B. Walker,	
Curtis,	Lewis,	F. Walker,	
Dinturff,	Lockwood,	J. Walker,	
Drake,	Luce,	L. Walker,	
Drew,	Markey,	Warren,	
Edwards,	E. R. Miller,	Welch,	
Ferguson,	Mitchell,	Welker,	
Fey,	Noyes,	Wheeler,	
Garfield,	O'Dell,	Withington,	
Garvelink,	Perry,	Wixson,	
Gilmore,	Pierce,	Zimmerman,	
Gordon,	Priest,	Speaker,	75

## NAYS.

<b>Mr. Carter,</b>	<b>Mr. Harris,</b>	<b>Mr. Van Aken,</b>	
Walton,			4

Title agreed to.

## MOTIONS AND RESOLUTIONS.

Mr. Grant moved to discharge the committee of the whole from the further consideration of House bill No. 147, entitled

A bill to amend an act entitled "An act to incorporate the village of Manchester, approved March 16, 1867, as amended by act No. 248 of the session laws of 1871," approved March 25, 1871, by adding two new sections thereto, to stand as sections 28 and 29 of said act ;

Which motion prevailed.

On motion of Mr. Grant,

The bill was placed on the order of third reading.

Mr. Buell moved that the committee on roads and bridges be instructed to report back to the House

A bill for the construction of a State road in the counties of Delta, Menominee, and Marquette ;

Also,

A bill to provide for the construction of a State road from Cedar Forks in Menominee county to the Chicago and Northwestern Railway,

With the recommendation that the same be referred to the committee on public lands;

Which motion prevailed.

Mr. Buell moved that the committee on railroads be released from any further consideration of

A bill to authorize and empower the Board of Control to make an appropriation of swamp lands to aid in the construction of a railroad from the Straits of Mackinaw to Marquette harbor, on Lake Superior, and that the committee on public lands have the exclusive consideration of the same;

Which motion prevailed.

Mr. Grant moved that the Speaker be requested to rigidly enforce rule No. 61 of the rules of the House.

Mr. Ripley moved to amend the motion by making it obligatory on the members to obey all the rules;

Which motion prevailed.

On motion of Mr. L. Walker,

The motion relative to the enforcement of rule No. 61, was laid on the table.

On motion of Mr. Welker,

The House took a recess until 1:45 o'clock this afternoon.

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#### AFTERNOON SESSION.

1:45 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

It being the hour for the

#### SPECIAL ORDER,

On motion of Mr. Thomas,

The House went into committee of the whole on the special order,

Mr. Knapp in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled joint resolution :

House manuscript joint resolution, entitled

Joint resolution asking Congress to authorize the construction of bridges over the Detroit and St. Clair rivers ;

And have instructed their chairman to report the same back to the House with the request that the committee have leave to sit again on Thursday next at 2.30 P. M., and also that in the meantime the joint resolution be printed.

A. S. KNAPP, *Chairman.*

Report accepted.

On motion of Mr. Rose,

The House concurred in the recommendation of the committee, and leave was granted the committee to sit again on Thursday, February 27, at 2:30 P. M., and the joint resolution was ordered printed.

#### SPECIAL ORDER.

On motion of Mr. Speed,

The House went into committee of the whole on the special order,

Mr. Sessions in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report :

The committee of the whole have had under consideration the following resolutions :

*Resolved*, That the committee on municipal corporations be instructed to so amend the bill for the incorporation of cities, as to provide—

*First*, That no city shall be incorporated until it shall have a population exceeding 5,000 in number ;

*Second*, That each city shall have three wards and three supervisors for 5,000 inhabitants, and an increase of one additional ward and one additional supervisor for each additional 3,000 inhabitants in excess of the number of inhabitants in the city at the time of incorporation ;

Also,

*Resolved*, That the committee on municipal corporations be instructed to so amend the bill for the incorporation of cities as to provide for the appointment of an assessor for the city at large, and that the assessor and one alderman for each ward shall be members of the board of supervisors of the county, and to provide for the appointment of an independent board of review of assessments made in the city ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, with the recommendation that they be laid on the table.

W. SESSIONS, *Chairman*.

Report accepted, and committee discharged.

On motion of Mr. Cady,

The House concurred in the recommendation of the committee, and the resolutions were laid on the table.

#### GENERAL ORDER.

On motion of Mr. Briggs,

The House went into committee of the whole on the general order,

Mr. Welker in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled bills :

1. Senate bill No. 16, entitled

A bill to provide for the construction of a State road in the county of Newaygo ;

2. House bill No. 90, entitled

A bill to amend sections 79, 80, 81, and 120 of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6, 1869, being sections 1045, 1046, 1047, and 1086, chapter 21 of the compiled laws of 1871 ;

3. House bill No. 93, entitled

A bill to authorize railroad companies to convey their franchises and property under certain circumstances ;

4. House bill No. 99, entitled

A bill to establish a board of commissioners to increase the product of the fisheries, and to make an appropriation therefor ;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill :

5. House bill No. 100, entitled

A bill to repeal act number 475 of the session laws of 1871, entitled " An act to provide for laying out and constructing a State road in the townships of Muzzy and Linn, in the county of St. Clair, State of Michigan, and making an appropriation of non-resident highway tax to aid in constructing the same, to be known as the Muzzy and Linn State Road," approved April 17, 1871 ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, and recommend their passage.

The committee of the whole have also had under consideration the following entitled bill :

6. House bill No. 84, entitled

A bill to amend section 11 of chapter 58 of the revised statutes of 1846, being section 3592 in chapter 136 of the compiled laws, relative to primary schools ;

And have directed their chairman to report the same back to the House with the recommendation that it be laid on the table.

The committee of the whole have also had under consideration the following joint resolution :

House joint resolution No. 7, entitled

Joint resolution asking Congress to provide for the early construction of a Niagara Falls Ship Canal ;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

E. J. WELKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. E. R. Miller,

The House concurred in the amendments made to the first four mentioned bills by the committee, and they were placed on the order of third reading.

The fifth mentioned bill and the joint resolution were placed on the order of third reading.

On motion of Mr. Cady,

The House concurred in the recommendation of the committee relative to the sixth named bill, and it was laid on the table.

Mr. E. R. Miller, leave being granted, offered the following:

*Resolved*, That when this House adjourn it be until nine o'clock of to-morrow morning;

Which was adopted.

Mr. Rose, leave being granted, offered the following:

*Whereas*, This House having refused to order memorials and petitions asking for the removal of Augustine H. Giddings from the office of circuit judge printed upon the journal, therefore, that the action of the House may be consistent with itself,

*Resolved*, That no memorial or petition praying for or remonstrating against the removal of said Augustine H. Giddings from office, be printed in the journal of this House.

Mr. Ripley moved to lay the resolution on the table;

Which motion did not prevail.

The question being on the adoption of the resolution,

Mr. Rose demanded the yeas and nays.

The demand was seconded, and the resolution was adopted, by yeas and nays, as follows:



## YEAS.

Mr. Ackley,	Mr. Gilmore,	Mr. O'Dell,
Armstrong,	Gordon,	Perry.
Bartholomew,	Grant,	Pierce,
Bottomley,	Green,	Priest,
Breitung,	Haire,	Rose,
Briggs,	Harris,	Sanderson,
Brunson,	Haywood,	Scott,
Buell,	Hewitt,	Sessions,
Burns,	Hoar,	Striker,
Cady,	Hosner,	Van Aken,
Carter,	Howard,	B. Walker,
Chafey,	Hoyt,	F. Walker,
Olimie,	Kellogg,	J. Walker,
Cobb,	Kipp,	L. Walker,
Cook,	Lamb,	Warren,
Curtis,	Lewis,	C. W. Watkins,
Dinturff,	Lockwood,	Welch,
Drake,	Luce,	Welker,
Drew,	Markey,	Wheeler,
Edwards,	E. R. Miller,	Withington,
Ferguson,	Mitchell,	Wixson,
Fey,	Noyes,	Zimmerman, 66

## NAYS.

Mr. Garfield,	Mr. Simpson,	Mr. Walton,
Greusel,	Van Scoy,	Speaker,
Ripley,		

7

Mr. Sessions asked and obtained leave of absence for himself indefinitely on account of sickness.

On motion of Mr. Warren,

The House adjourned.

*Lansing, Wednesday, February 26, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the member from Branch, Mr. Welker.

Roll called: quorum present.

Absent without leave: Messrs. Goodrich, Morse, Caplis, Eggleston, and Briggs.

Mr. Rose asked and obtained leave of absence for Mr. Goodrich for the day.

Mr. Hoyt asked and obtained leave of absence for the special committee on laying the corner-stone of the new Capitol, for an hour.

#### PRESENTATION OF PETITIONS.

By Mr. Edwards: Petition of J. B. Wayne, treasurer of the Fulton iron and engine works, Detroit, and 20 employes, for the passage of a law to provide for a system of taxation upon persons or corporations engaged in the manufacture or sale of spirituous liquors;

Also: Petition of Otto Graueist and 19 others, for the same purpose;

Also: Petition of Samuel Hacknell and 15 others, for the same purpose;

Also: Petition of C. Spann and 26 others, for the same purpose;

Also: Petition of Geo. L. Freeman & Co. and 40 others, for the same purpose;

Also: Petition of Geo. Beacharm and 40 others, for the same purpose;

Also: Petition of N. Goldenhazen and 16 others, for the same purpose;

Also: Petition of Jacob Pnrpur and 60 others, for the same purpose;

Also: Petition of John J. Breede and 20 others, for the same purpose;

Also: Petition of John Katus and 40 others, for the same purpose ;

Also: H. Rathmann and 50 others, for the same purpose ;

Also: H. Eboback and 20 others, for the same purpose ;

Also: Petition of Francis Eccand & Son and 21 employes, for the same purpose ;

Also: Petition of S. Brown and 38 others, for the same purpose ;

Also: Petition of Quinn & Mahoney and 56 others, for the same purpose ;

Also: Petition of E. Chope & Son and 15 others, for the same purpose ;

Also: Petition of Wm. Mahoney and 30 others, for the same purpose ;

Referred to the committee on State affairs.

By Mr. Greusel: Petition of J. W. Gies and 56 others for the passage of a system of taxation upon persons and corporations engaged in the manufacture or sale of ardent spirits ;

Also: Petition of Lewis Penman and 54 others, for the same purpose ;

Also: Petition of Louis Greisenger and 37 others, for the same purpose ;

Also: Petition of Chris Kaiser and 10 others, for the same purpose ;

Also: Petition of F. Magel and 60 others, for the same purpose ;

Also: Petition of A. Paulus and 55 others, for the same purpose ;

Also: Petition of Shepley & Bros. and 40 others, for the same purpose ;

Also: Petition of Frank Harrison and 50 others, for the same purpose ;

Also: Petition of M. Brosy and 50 others, for the same purpose ;

Also: Petition of Louis Kaiser and 56 others, for the same purpose ;

Also: Petition of Darling & Co. and 60 others, for the same purpose;

Also: Petition of John Bird and 60 others, for the same purpose;

Also: Petition of Frank Blitz and 60 others, for the same purpose;

Also: Petition of W. P. Sullivan and 50 others, for the same purpose;

Also: Petition of John J. Perrine and 43 others, for the same purpose;

Also: Petition of J. Zahn and 50 others, for the same purpose;

Also: Petition of John L. Lam and 31 others, for the same purpose;

Also: Petition of W. F. Kelso and 21 others, for the same purpose;

Referred to the committee on State affairs.

By Mr. Perry: Petition of George Mites and 57 others, asking for the repeal of the prohibitory liquor law, and the enactment of a license law;

Referred to the committee on State affairs.

By Mr. Withington: Communication from Hon. Henry Waldron, Hon. O. D. Conger, Hon. W. L. Stoughton, and Hon. Austin Blair, relative to the purchase of Stanley's painting of "The Trial of Red Jacket;"

Referred to the special committee on that subject.

By Mr. Shaw: Petition of school board and 45 others, asking an amendment to the charter of the city of Charlotte;

Referred to the committee on municipal corporations.

By Mr. Withington: Petition of D. W. Green and 45 others, asking the repeal of the law creating county drain commission, and that those duties be devolved on the commissioners of highways;

Referred to the committee on drainage.

By Mr. Grant: Remonstrance of C. C. Fuller and 310

others, of Mecosta county, against the removal of Hon. A. H. Giddings ;

Also : Remonstrance of the Kent county bar, for the same purpose ;

Referred to the special committee on that subject.

By Mr. Simpson : Remonstrance of E. S. Jelley and 7 others of Van Buren county, against the repeal of the law creating the office of county superintendent of schools ;

Also : Remonstrance of W. C. Moffit and 15 others for the same purpose ;

Referred to the committee on education.

By Mr. Armstrong : Petition of N. Higbee and 17 others of Newaygo county, for the repeal of the law creating the office of county superintendent of schools ;

Referred to the committee on education.

By Mr. Armstrong : Remonstrance of Nelson Higbee, and 16 others, against the division or alteration of the boundaries of Newaygo county ;

Referred to the committee on towns and counties.

By Mr. Walton : Remonstrance of Willard Stearns, county superintendent, and 55 teachers of Lenawee county, against the repeal of the law creating the office of county superintendent of schools ;

Also : Remonstrance of A. M. Sweet and 66 others, for the same purpose ;

Referred to the committee on education.

By Mr. Walton : Remonstrance of J. W. Carter, M. B. Seymour, and 72 others, of the township of Palmyra, against taking certain territory from said township and attaching the same to the township of Blissfield ;

Referred to the committee on towns and counties.

By Mr. Perry : His protest as a member of the minority of this House, against holding so early morning sessions, and for partizan purposes.

## REPORTS OF STANDING COMMITTEES.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to establish a board of commissioners and to prescribe their duties, and to make an appropriation for the artificial propagation of fish,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

Your committee are under painful conviction that the great commonwealth of Michigan, surrounded by a noble cordon of lakes and dotted all over with ponds, the natural home of the innumerable finny tribes, is lagging far behind her sister States in cultivating the material interests of the State in this direction, and are of opinion that she should rather lead the van in this enterprise.

E. R. MILLER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

A bill to provide for propagation and protection of the more valuable kinds of fish in Brace Lake, in Calhoun county.

The persons asking for the passage of this act, which incorporates a joint-stock fishing association for the purposes named, represent that they are the sole owners of the lands surrounding said Brace lakes, in said county, and that their immediate proximity to the city of Marshall render it necessary that they have, for the successful prosecution of the work named, the protection granted by this bill; and therefore your committee respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, with-

out amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. R. MILLER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 58, entitled

A bill to authorize the commissioners of the township of Farmington, in the county of Oakland, to procure a re-survey of the roads and public highways of said township, to supply the loss of the original record thereof heretofore destroyed by fire,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN WALKER, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred Senate bill No. 62, entitled

A bill to provide for the construction of a State road in the county of Newaygo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

This bill uses the highway taxes contrary to law, in the belief of the committee, and in organized townships we believe

the highway commissioners are the proper persons to lay out and construct roads.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Cady,

The bill was laid on the table.

By the committee on University and Normal School:

The committee on University and Normal School, to whom was referred

A bill to provide for the appointment of two professors of homeopathy in the department of medicine of the University of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it be printed and referred to the committee of the whole, and ask to be discharged from the further consideration of the subject.

HENRY F. THOMAS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Thomas,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations:

The committee on municipal corporations, to whom was referred

A bill to detach certain territory from the city of Saginaw, and annex the same to the township of Carrolton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.



By the committee on public lands :

The committee on public lands, to whom was referred

A bill to authorize and empower the board of control of State lands to make an appropriation of State swamp lands to aid in the construction of a railroad from the Straits of Mackinac to Marquette, on Lake Superior,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The reasons for making this recommendation are : The committee believe that the commercial, agricultural, manufacturing, and mining interests of the State imperatively demand that the railroad systems of the two Peninsulas should be directly connected, with as little delay as possible. The country between the two points named in the bill through which the proposed road would be built, for almost the entire distance, is an unbroken wilderness, and offers no inducements to a railroad company in the way of local business of any kind.

That this line of road will be built in time there can be no doubt ; but the committee are of opinion that unless some inducement is held out to encourage capitalists to take hold of this enterprise at once, there will be a delay in the construction of this line of road that will be detrimental to all the great interests of the State.

The lands proposed to be granted for this purpose are of such a character as to be of very little value, unless this line of road is built so as to render available the hard wood and other inferior kinds of timber with which these lands are mostly covered. There are no records of surveys or explorations that would indicate that any valuable mineral deposits exist upon any of these lands.

E. L. BRIGGS, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on lumber and salt interests:

The committee on lumber and salt interests, to whom was referred

A bill to enable the Thunder Bay River Boom Company to acquire title to lands and river frontage on the Thunder Bay River for the use of said company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The reasons for thus reporting are as follows: the Thunder Bay River having many rapids and falls upon it, which prevents its navigation by logs, timber, lumber, and rafts, it becomes necessary to create slack-water navigation by the construction of dams; and to accomplish this purpose by the boom company, it is necessary that they have the power to acquire title to the shores where such dams are necessary to be built, by condemning the land and water frontage on said river when no agreement can be made with the owner thereof.

J. K. LOCKWOOD, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
*Lansing, February 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 79, entitled

A bill making an appropriation of non-resident highway

taxes for the Clio and Chesaning State road to aid in the completion of the same, and to repeal act number 399 of the session laws of 1867, approved March 22, 1867, being an act to provide for the laying out and establishing a State road from Clio in Genesee county to Chesaning in Saginaw county, and to appropriate certain non-resident highway taxes to aid in the construction of the same; also, to repeal act number No. 304 of the session laws of 1871, approved February 14, 1871, being an act to amend section 2 of act No. 399 of the session laws of 1867, approved March 22, 1867, entitled "An act to provide for laying out and establishing a State road from Clio in Genesee county to Chesaning in Saginaw county, and to appropriate certain non-resident highway taxes to aid in the construction of the same,"

2. Senate bill No. 70, entitled

A bill to change the name of the plat of Wakazooville, in Leelanaw county, to Northport;

3. Senate bill No. 76, entitled

A bill to amend an act entitled "An act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons, and defining their powers ;"

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The second named bill was read a first and second time by its title, and referred to the committee on municipal corporations.

The third named bill was read a first and second time by its title, and referred to the committee on State Prison.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

1. Senate bill No. 71, entitled

A bill to provide for the construction and maintenance of fish-ladders, and providing penalties for the violation of the same ;

2. Senate bill No. 78, entitled

A bill relative to rights of lessees of lands and tenements ;

Which have passed the Senate by a majority vote of all the Senators elect, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on fisheries.

The second named bill was read a first and second time by its title, and referred to the committee on judiciary.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bills :

1. House bill No. 57, entitled

A bill to amend section 4 of an act entitled “ An act to provide for the better management and care of the State library,” the same being section 271 in chapter 7 of the compiled laws of 1871 ;

2. House bill No. 58, entitled

A bill to organize the township of Boardman, in the county of Kalkaska ;

3. House bill No. 62, entitled

A bill to provide for the purchase of books for the State Library ;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The several named bills were referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed by the Senate to transmit the following bills :

1. Senate bill No. 81, entitled

A bill to organize the township of Wilson, in the county of Kalkaska ;

2. Senate bill No. 83, entitled

A bill to change the name of the township of Quilna, in Missaukee county, to Caldwell ;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The two named bills were read a first and second time by their titles, and referred to the committee on towns and counties.

The Speaker also announced the following:

SENATE CHAMBER, }  
*Lansing, February 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bills:

1. House manuscript bill, entitled

A bill to organize the township of Ogemaw, in the county of Iosco;

2. House bill No. 53, entitled

A bill to organize the township of Greenwood, in the county of Wexford;

3. House bill No. 44, entitled

A bill to organize the township of Edwards, in the county of Iosco;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The several bills were referred to the committee on engrossment and enrollment, for enrollment.

Mr. Buell, leave being granted, moved to discharge the committee of the whole from the further consideration of Senate joint resolution No. 2, entitled

Joint resolution defining and confirming to the Chicago & Northwestern Railway Company the aid in lands heretofore authorized by law for the construction of a railroad from near the mouth of the Menominee river to Negaunee, in the Upper Peninsula;

Which motion prevailed.

On motion of Mr. Buell,

The joint resolution was placed on the order of third reading.

Mr. B. Walker, leave being granted, moved to take from the table

A bill to legalize the action of the joint boards of the school inspectors of townships of Owosso, Bennington, and Caledonia, for detaching certain territory from union school district of Owosso, fractional with Caledonia, and attaching a part to school district No. 2 of Owosso, fractional with Bennington, and a part to a fractional school district of the townships of Owosso, Bennington, Caledonia, and Shiawassee;

Which motion prevailed.

On motion of Mr. B. Walker,

The bill was referred to the committee on education.

### THIRD READING OF BILLS.

House joint resolution No. 6, entitled

Joint resolution instructing the Board of State Auditors to make a settlement with Frederick A. Long,

Was read a third time and was not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Ackley,  
Armstrong,  
Breitung,  
Briggs,  
Brunson,  
Carter,  
Chafey,  
Climie,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drew,  
Edwards,  
Ferguson,  
Garfield,  
Garvelink,

Mr. Gordon,  
Grant,  
Green,  
Harris,  
Haywood,  
Hertzler,  
Hoar,  
Hosner,  
Howard,  
Kellogg,  
Knapp,  
E. R. Miller,  
Mitchell,  
O'Dell,  
Parsons,  
Perry,

Mr. Priest,  
Remer,  
Robertson,  
Rose,  
Scott,  
Shaw,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
B. Walker,  
Warren,  
West,  
Withington,  
Zimmerman,

## NAYS.

Mr. Bailey,  
Bottomley,  
Drake,  
Fey,  
Gilmore,  
Greusel,  
Haire,  
Hewitt,  
Kipp,  
Lamb,

Mr. Lewis,  
Lockwood,  
Luce,  
Markey,  
Noyes,  
Pierce,  
Rich,  
Ripley,  
Robinson,  
Simpson,

Mr. Van Aken,  
Van Scoy,  
F. Walker,  
J. Walker,  
L. Walker,  
C. W. Watkins,  
Welch,  
Welker,  
Wheeler,  
Wixson, 30

House bill No. 147, entitled

A bill to amend an act entitled "An act to incorporate the village of Manchester, approved March 16, 1867, as amended by act No. 248 of the session laws of 1871," approved March 25, 1871, by adding two new sections thereto, to stand as sections 28 and 29 of said act,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bonine,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Buell,  
Carter,  
Climie,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drew,  
Edwards,  
Ferguson,  
Garvelink,  
Gordon,  
Grant,  
Green,  
Greusel,  
Haire,

Mr. Harris,  
Haywood,  
Hertzler,  
Hoar,  
Hosner,  
Howard,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Markey,  
E. R. Miller,  
Mitchell,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,

Mr. Robinson,  
Rose,  
Sanderson,  
Scott,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
F. Walker,  
J. Walker,  
L. Walker,  
Warren,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,



## NAYS.

Mr. Garfield,  
Gilmore,

Mr. Luce,

Mr. Van Aken,

4

Title agreed to.

On motion of Mr. Cook,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House joint resolution No. 7, entitled

Joint resolution asking Congress to provide for the early construction of a Niagara Falls Ship Canal,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,  
Armstrong,  
Bailey,  
Bonine,  
Bottomley,  
Breitung,  
Briggs,  
Brunson,  
Buell,  
Carter,  
Chafey,  
Climie,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Ferguson,  
Fey,  
Garfield,  
Garvelink,  
Gilmore,  
Gordon,  
Grant,  
Green,  
Greusel,

Mr. Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lewis,  
Lockwood,  
Luce,  
Markey,  
E. R. Miller,  
Mitchell,  
Noyes,  
O'Dell,  
Parsons,  
Perry,  
Pierce,  
Priest,  
Remer,  
Rich,  
Ripley,

Mr. Robinson,  
Robertson,  
Rose,  
Sanderson,  
Scott,  
Shaw,  
Simpson,  
Smith,  
Speed,  
Striker,  
Thomas,  
Thompson,  
Van Scoy,  
B. Walker,  
F. Walker,  
J. Walker,  
L. Walker,  
Warren,  
O. W. Watkins,  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Wixson,  
Zimmerman,  
Speaker,

82

## NAYS.

0

Title and preamble agreed to.

Senate bill No. 16, entitled

A bill to provide for the construction of a State road in the county of Newaygo,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Priest,
Armstrong,	Green,	Remer,
Bailey,	Greusel,	Rich,
Bonine,	Harris,	Ripley,
Bottomley,	Haywood,	Robinson,
Breitung,	Hertzler,	Robertson,
Briggs,	Hewitt,	Rose,
Brunson,	Hoar,	Sanderson,
Buell,	Hosner,	Scott,
Carter,	Howard,	Shaw,
Chafey,	Kipp,	Simpson,
Climie,	Knapp,	Smith,
Cobb,	Lamb,	Speed,
Cook,	Lewis,	Striker,
Curtis,	Lockwood,	Van Scoy,
Dinturff,	Luce,	F. Walker,
Drake,	Markey,	Warren,
Drew,	E. R. Miller,	Welch,
Edwards,	Mitchell,	Welker,
Ferguson,	Noyes,	West,
Fey,	O'Dell,	Wheeler,
Garfield,	Parsons,	Withingt
Garvelink,	Perry,	Wixson,
Gordon,	Pierce,	Zimmerman, 72

NAYS.

Mr. Haire,	Mr. J. Walker,	Mr. L. Walker,
B. Walker,		

4

Title agreed to.

On motion of Mr. Armstrong,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 90, entitled

A bill to amend sections 79, 80, 81 and 120 of an act entitled "An act to provide for a uniform assessment of property, and

for the collection and return of taxes thereon," approved April 6, 1869, being sections 1045, 1046, 1047 and 1086 of chapter 21 of the compiled laws of 1871,

Was read a third time, and pending the taking of the vote on the passage thereof,

Mr. Lockwood demanded the previous question;

Pending which,

On motion of Mr. Speed,

The House adjourned.

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*Lansing, Thursday, February 27, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Robinson.

Roll called : quorum present.

Absent without leave, Mr. Goodrich.

Mr. Drew asked and obtained leave of absence for Mr. Goodrich indefinitely on account of sickness.

Mr. Parsons asked and obtained leave of absence for himself for the forenoon.

#### PRESENTATION OF PETITIONS.

By Mr. Hoyt: Petition of H. W. Jewell and 55 others, for the repeal of the prohibitory liquor law, and an amendment to the constitution permitting a license law;

Referred to the committee on State affairs.

By Mr. Bonine: Remonstrance of the common council of the city of Niles, and 285 others of said city, against a change of their boundary line;

Referred to the committee on municipal corporations.

By Mr. Howard: Petition of Thos. Gilpin and 50 others, of the township of Alcona, that towns 27 north, of ranges 7 and 8 east, be detached from the township of Harrisville, and attached to township of Alcona, in the county of Alcona;

Also: Petition of Chas. Bewick, Albert Pack, and 21 others, of Alpena, for the same purpose ;

Referred to the committee on towns and counties.

By Mr. Thompson: Petition W. H. Bradley and 14 others, of Muskegon county, in favor of an amendment of an act to authorize the formation of corporations for the running, booming, and rafting of logs ;

Referred to the committee on lumber and salt interests.

By Mr. Thomson: Petition of E. Potter, C. D. Nelson, and 58 others, citizens of Muskegon county, for the removal of Judge A. H. Giddings ;

Referred to the select committee on that subject.

By Mr. Striker: Petition of Hon. G. Thomas and 49 others, of Barry county, in favor of the repeal of the law creating county superintendents of schools ;

Referred to the committee on education.

By Mr. Kipp: Petition of W. T. Williams and 39 others, for the repeal of the law creating the office of county superintendent of schools ;

Referred to the committee on education.

By Mr. Grant: Petition of W. J. Baxter and 38 others, asking for the purchase by the State of the full portrait of the late Dr. Douglass Houghton ;

Also: Petition of E. H. Thompson and 14 others, for the same purpose ;

Also: Petition of D. B. Dennis and 20 others, for the same purpose ;

Referred to the special committee on the purchase of Stanley's "Trial of Red Jacket."

By Mr. F. C. Watkins: Petition of Dr. R. S. Blakely, O. F. Hyde, and 17 others, of Kent county, for a law against empiricism, and to elevate the standard of the medical profession ;

Also: Petition of Dr. Holden and 9 others, for the same purpose ;

Referred to the committee on public health.

By Mr. Greusel: Memorial of the Treasurer of Wayne county

and the common council of the city of Detroit, for the passage of a bill to extend the time for collecting the State and county taxes for the year 1872;

Referred to the committee on local taxation.

By Mr. Perry: Petition of A. Hagerman and 56 others, requesting the repeal of the prohibitory liquor law;

Referred to the committee on State affairs.

By Mr. Kellogg: Petition of D. M. Huntley and 52 others of Saranac, Ionia county, asking an amendment to their charter;

By Mr. Bartholomew: Petition of R. S. Robson and 121 others, in favor of certain amendments to the charter of the city of Lansing;

Also: Petition of C. Hewitt and 49 others, for the same purpose;

Also: Petition of D. M. Bagley and 61 others, for the same purpose;

Referred to the committee on municipal corporations.

By Mr. Ferguson: Petition of A. J. Bennett and 24 others of Cleon, that that township may be detached from Manistee and attached to Wexford county;

Referred to the committee on towns and counties.

By Mr. Lockwood: Petition of Carrugton, Pack & Co., J. L. Woods, B. W. Jenks, and 33 other business men of Lexington, for the passage of Senate bill No. 31, being a bill to amend section 2 and 14 of chapter 88, compiled laws of 1871, relative to corporations for running, rafting, and booming logs;

Also: Petition of S. N. Wilcox and 9 others, for the same purpose;

Referred to the committee on lumber and salt interests.

By Mr. Thompson: Remonstrance of the Muskegon county bar and 85 business men of said county, against the removal of Judge A. H. Giddings;

Referred to the special committee on that subject.

By Mr. Eggleston: Petition of Thomas Byrnes and 16 others, for the general booming law of the State;

Referred to the committee on lumber and salt interests.

By Mr. Howard: Petition of Skillings & Whitney and others, of Detroit, for the passage of Senate bill No. 31;

Referred to the committee on lumber and salt interests.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to repeal act No. 418 of session laws of 1871, being an act to provide for the construction of a State road in the counties of Isabella, Midland, and Clare, and to release the taxes appropriated by said act and not legally expended to the township from which they were originally taken,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

It was a State road to be constructed with non-resident highway taxes.

JOHN WALKER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to provide for laying out and constructing a State road in the counties of Delta, Menominee, and Marquette;

Also,

A bill to lay out and provide for the construction of a State road from the Cedar Forks, in Menominee county, northerly to the Chicago and Northwestern Railway;

Also,

Petition of J. F. Oliver and 47 others of Delta county, for

the laying out and construction of a State road in the counties Delta, Menominee, and Marquette ;

Respectfully report the same back to the House, in accordance with the order of the House.

J. WALKER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Buell,

The two mentioned bills and the petition were referred to the committee on public lands.

By the committee on the State prison :

The committee on the State prison, to whom was referred

A bill to prohibit officers of public institutions from being interested in contracts made therewith, and to prevent bribery,

Have considered the same and respectfully beg leave to report :

The purpose of this bill is to extend to all State and county institutions a provision of law now applicable to some of the State institutions, prohibiting the officials thereof from being interested in contracts made therewith, and also to provide a penalty for any attempt on the part of contractors, or parties interested in contracts, to bribe by gift or gratuity any such official to do a corrupt and improper act.

If such a provision of law may wisely be applicable to one institution we cannot see why it may not be to all. To allow such officers to be remotely or directly interested in contracts of this character, leaves a door open through which opportunity is offered and inducement and temptation held out for corrupt practices. We believe that the wiser and safer course is for officers having charge of such institution to be wholly disconnected from any interest in contracts, jobs, or bargains, as such connection is surely improper, and in almost every instance results in a charge of favoritism, or a suspicion of corrupt practices. The committee believe the prohibition contained in the bill a good one that should be applied to all our State institutions, and have therefore direct-

ed me to report the bill back to the House, with a recommendation that it do pass, and ask to be discharged from the further consideration of the same.

JACOB WALTON, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on municipal corporations :

The committee on municipal corporations, to whom was referred

A bill to amend section 8 of an act to incorporate the village of Saranac, in Ionia county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. J. SPEED, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on local taxation :

The committee on local taxation, to whom was referred Senate bill No. 53, entitled

A bill to legalize the assessment roll of the township of Clam Union, in Missaukee county, for the year 1872,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

PRESTON MITCHELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.



Mr. Lockwood moved to suspend the rule requiring committees in making reports to assign their reasons for the same; Which motion did not prevail.

By the committee on ways and means:

The committee on ways and means, to whom was referred

A bill to amend an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved April 6th, 1869, by adding two new sections thereto,

Respectfully report that the first section proposed to be added to the law provides that all certificates of sale issued by county treasurers, and any deed made thereon by the Auditor General, shall be void, unless such deed be recorded in the register's office of the proper county within one year from the expiration of the time for redemption. The second section provides that the Auditor General shall once in each month transmit to the treasurer of each county lists of all lands redeemed, or on which bids may have been assigned, or for which deeds may have been made during the preceding month, and that each treasurer shall keep a record of the same in his office. The provisions of this bill will, in the opinion of the committee, afford proper safeguards to the owners of real estate, and furnish convenient records at the various county seats of the condition of tax-titles. The committee have therefore directed me to report the bill back to the House, without amendment, and recommend that it do pass.

C. B. GRANT, *Chairman.*

Report accepted and committee discharged.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on elections:

The committee on elections, to whom was referred

A bill to amend sections 3 and 4 of an act to provide for the division of the township of Plymouth, Wayne county, into two election districts for general election purposes, being act No. 455 of the session laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and asked to be discharged from the further consideration of the subject.

**JAMES BURNS, *Chairman.***

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to provide for appeals to the supreme court in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This provides for a deficiency in the law and gives a right and privilege to certain parties now enjoyed by all others, viz: parties claiming rights under lien of mechanics and others to an appeal to the supreme court from orders or decrees of the circuit court.

**HENRY A. SHAW, *Chairman.***

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

A bill to amend section 7590, chapter 245 of the compiled laws of 1871, relative to "Offenses against property,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This bill confers jurisdiction on justices of the peace to hear and try cases of false pretenses where the value of property obtained does not exceed \$25.

HENRY A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill to amend section 5266, chapter 178 of the compiled laws of 1871, relative to "Attachments in justices' courts,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

This bill requires in cases of application for attachment under the pretense that the defendant is about to remove any of his property with intent to defraud his creditors, or that he fraudulently contracted the debt, to show that facts and circumstances enabled the justice to determine the necessity or right of such a writ.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred

A bill to amend sections 647 and 649, relative to the term of office of the commissioners of highways; section 695, relative to filling vacancies in the office of overseer of highways; sections 728, 729, 730, 731, 732, 733, 734, and 735, relative to overseers and commissioners of highways; sections 752, 753, 754, and 755, relative to the raising of money by tax or to borrow money to build or repair bridges, chapter 12 of the compiled

laws of 1871; to amend chapters 23, 24, 25, 27, 28, and 31; sections 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, and 1278, chapter 26 of the compiled laws of 1871, relative to highways, bridges, and private roads; to amend sections 1753 and 1758, chapter 47 of the compiled laws of 1871, relative to the county drain law; to amend sections 2027, 2028, 2029, 2030, 2031, 2032, 2033, and 2034, chapter 59 of the compiled laws of 1871, relative to animals running at large; to amend chapter 68 of the compiled laws of 1871, relative to the spread of Canada thistles; to amend section 2587, chapter 78 of the compiled laws of 1871, relative to plank road companies.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

The committee recommend this because the constitution authorizes only one commissioner of highways, and in this the committee are of the opinion the constitution wisely provides.

H. A. SHAW, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shaw,

The bill was ordered not printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER, }  
Lansing, February 25, 1873. }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following joint resolution:

House manuscript joint resolution, entitled

Joint resolution authorizing the Board of State Auditors to pay for gas and gas fixtures;

In the passage of which the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The joint resolution was referred to the committee on engrossment and enrollment, for enrollment.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, February 25, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed to return to the House the following bill:

House bill No. 40, entitled

A bill to amend section 3 of chapter 4 of the revised laws of 1846, as amended by act 4 of the session laws of 1858, being section 7176 of the compiled laws of 1871, entitled “An act for the punishment of fraudulent debtors;”

And to inform the House that the Senate has amended the same by inserting in line 5 of recited section 3, after the words “justice of the peace” the words “before whom such suit is pending or judgment obtained;”

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Striker moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Bailey,  
Bartholomew,  
Bonine,

Mr. Harris,  
Haywood,  
Hertzler,

Mr. Scott,  
Shaw,  
Simpson,

Mr. Briggs,	Mr. Hewitt,	Mr. Smith,	
Brunson,	Hoar,	Speed,	
Buell,	Hosner,	Striker,	
Burns,	Howard,	Thompson,	
Cady,	Hoyt,	Van Aken,	
Carter,	Kellogg,	Van Scoy,	
Chasey,	Kipp,	B. Walker,	
Chamberlain,	Knapp,	F. Walker,	
Cobb,	Lamb,	J. Walker,	
Cook,	Luce,	L. Walker,	
Curtis,	Markey,	Walton,	
Dinturff,	E. R. Miller,	Warren,	
Drake,	Mitchell,	C. W. Watkins,	
Drew,	Morse,	E. C. Watkins,	
Edwards,	Noyes,	Welch,	
Eggleston,	O'Dell,	Welker,	
Garfield,	Pierce,	West,	
Garvelink,	Rich,	Wheeler,	
Gilmore,	Robinson,	Withington,	
Gordon,	Robertson,	Wixson,	
Green,	Rose,	Zimmerman,	
Greusel,	Sanderson,	Speaker,	
Haire,			76
	NAYS.		0

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The Speaker also announced the following :

SENATE CHAMBER, }  
*Lansing, February 25, 1873.* }

*To the Speaker of the House of Representatives :*

SIR—I am instructed to return to the House the following bill :

House bill No. 43, entitled

A bill to organize the townships of Deep River, Granton, and Pinconning, and to re-organize the township of Clayton in Bay county ;

And to inform the House that the Senate has amended the same by striking out the word "Granton," where it occurs in lines 3 and 4 of section 3, and inserting "Standish" in lieu thereof ;

And that the Senate has amended the title of the bill by striking out the word "Granton" and inserting "Standish" in lieu thereof;

In the passage of which, as thus amended, the Senate has concurred by a majority vote of all the Senators elect, and has ordered the same to take immediate effect by a two-thirds vote of all the Senators elect.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

Mr. Green moved that the House concur in the amendments made to the bill by the Senate;

Which motion prevailed, by yeas and nays, as follows:

YEAS.

Mr. Bailey,  
Bartholomew,  
Bonine,  
Briggs,  
Brunson,  
Burns,  
Cady,  
Carter,  
Chafey,  
Chamberlain,  
Cobb,  
Cook,  
Curtis,  
Dinturff,  
Drake,  
Drew,  
Edwards,  
Eggleston,  
Ferguson,  
Garfield,  
Garvelink,  
Gilmore,  
Gordon,  
Green,  
Greusel,

Mr. Haire,  
Harris,  
Haywood,  
Hertzler,  
Hewitt,  
Hoar,  
Hosner,  
Howard,  
Hoyt,  
Kellogg,  
Kipp,  
Knapp,  
Lamb,  
Lockwood,  
Luce,  
Markey,  
Mitchell,  
Morse,  
Noyes,  
O'Dell,  
Pierce,  
Robinson,  
Robertson,  
Rose,

Mr. Sanderson,  
Scott,  
Sessions,  
Shaw,  
Simpson,  
Smith,  
Striker,  
Thomas,  
Van Aken,  
Van Scoy,  
F. Walker,  
J. Walker,  
L. Walker,  
Walton,  
Warren,  
C. W. Watkins,  
E. C. Watkins  
Welch,  
Welker,  
West,  
Wheeler,  
Withington,  
Zimmerman,  
Speaker,

73  
0

NAYS.

The amendment to the title was then concurred in, and

The bill was then referred to the committee on engrossment and enrollment for enrollment.

### THIRD READING OF BILLS.

House bill No. 90, entitled

A bill to amend sections 79, 80, 81, and 120 of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved April 6, 1869, being sections 1045, 1046, 1047, and 1086, chapter 21 of the compiled laws of 1871,

Having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Withington moved to amend section 81 by striking out all after the word "each" in line 8, to and including the word "each" in line 9, and inserting in lieu thereof the words "and for all over four hundred, twenty-five cents each ;"

Pending which,

Mr. Walton moved to recommit the bill to the committee on ways and means ;

Which motion did not prevail.

Mr. Gilmore moved to lay the bill on the table ;

Which motion did not prevail.

Mr. Thomas moved the previous question.

The motion was sustained, and the main question was then ordered.

The question being on the motion to amend, the motion did not prevail.

The bill was then not passed, a majority of all the members elect not voting therefor, by yeas and nays, as follows :

### YEAS.

Mr. Briggs,  
Burns,  
Cobb,  
Cook,  
Gilmore,

Mr. Grant,  
Mitchell,  
Sanderson,  
Smith,

Mr. Thompson,  
L. Walker,  
Walton,  
Withington,

13

### NAYS.

Mr. Ackley,  
Armstrong,

Mr. Haire,  
Harris,

Mr. Robertson,  
Robinson,



Mr. Bailey,	Mr. Haywood,	Mr. Rose,
Bartholomew,	Hertzler,	Scott,
Bonine,	Hewitt,	Sessions,
Bottomley,	Hoar,	Shaw,
Breitung,	Hosner,	Simpson,
Brunson,	Howard,	Speed,
Buell,	Hoyt,	Striker,
Cady,	Kellogg,	Thomas,
Caplis,	Kipp,	Van Aken,
Carter,	Knapp,	Van Scoy,
Chafey,	Lamb,	B. Walker,
Chamberlain,	Lewis,	F. Walker,
Olimie,	Lockwood,	J. Walker,
Curtis,	Luce,	Warren,
Dinturff,	Markey,	C. W. Watkins,
Drake,	E. R. Miller,	E. C. Watkins,
Edwards,	Morse,	Welch,
Ferguson,	Noyes,	Welker,
Fey,	O'Dell,	West,
Garfield,	Perry,	Wheeler,
Garvelink,	Pierce,	Wixson,
Gordon,	Remer,	Zimmerman,
Green,	Rich,	Speaker,
Greusel,	Ripley,	

76

House bill No. 114, entitled

A bill to discontinue that portion of a certain State road known as the "Grand Rapids and Greenville State road," running across the southwest quarter of section twenty-two in township 9 north, of range 10 west,

Was read a third time, and pending the taking of the vote on the passage thereof,

On motion of Mr. E. C. Watkins,

The bill was recommitted to the committee on roads and bridges.

On motion of Mr. Bartholomew,

The House took a recess until 2 o'clock this afternoon.

## AFTERNOON SESSION.

2 o'clock P. M.

The House met and was called to order by the Speaker.

Roll called : quorum present.

The House resumed the order of

## THIRD READING OF BILLS.

Senate joint resolution No. 2, entitled

Joint resolution defining and confirming to the Chicago & Northwestern Railway Company the aid in lands heretofore authorized by law for the construction of a railroad from near the mouth of the Menominee River to Negaunee, in the Upper Peninsula,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Ackley,	Mr. Grant,	Mr. Rose,
Armstrong,	Green,	Sanderson,
Bailey,	Greusel,	Scott,
Bartholomew,	Haire,	Sessions,
Bonine,	Harris,	Shaw,
Bottomley,	Haywood,	Simpson,
Breitung,	Hertzler,	Smith,
Briggs,	Hewitt,	Speed,
Brunson,	Hoar,	Striker,
Buell,	Hosner,	Thomas,
Burns.	Howard,	Thompson,
Cady,	Hoyt,	Van Aken,
Caplis,	Kellogg,	Van Scoy,
Carter,	Kipp,	B. Walker,
Chasey,	Lewis,	F. Walker,
Climie,	Lockwood,	J. Walker,
Cobb,	Luce,	L. Walker,
Cook,	Markey,	Walton,
Curtis,	E. R. Miller,	Warren,
Dinturff,	Mitchell,	C. W. Watkins,
Drake,	Morse,	E. C. Watkins,
Drew,	Noyes,	Welch,
Edwards,	O'Dell,	Welker,
Eggleston,	Perry,	West,
Ferguson,	Pierce,	Wheeler,

Mr. Fey, Garfield, Garvelink, Gilmore, Gordon,	Mr. Remer, Rich, Ripley, Robinson, Robertson,	Mr. Withington, Wixson, Zimmerman, Speaker,	
	NAYS.		89 0

Title and preamble agreed to.

Mr. C. W. Watkins, leave being granted, moved to discharge the committee of the whole from the further consideration of House bill No. 116, entitled

A bill to amend an act entitled "An act to incorporate the village of Otsego," approved March 15th, 1865, and to add thereto one new section ;

Which motion prevailed.

On motion of Mr. C. W. Watkins,

The bill was placed on the order of third reading.

House bill No. 100, entitled

A bill to repeal act No. 475 of the session laws of 1871, entitled "An act to provide for laying out and constructing a State road in the townships of Muzzy and Linn, in the county of St. Clair, State of Michigan, and making an appropriation of non-resident highway tax to aid in constructing the same, to be known as the Muzzy and Linn State Road," approved April 17, 1871 ;

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley, Armstrong, Bailey, Bartholomew, Bonine, Bottomley, Breitung, Briggs, Bronson, Burns, Cady,	Mr. Grant, Green, Haire, Harris, Haywood, Hertzler, Hewitt, Hoar, Hosner, Howard, Hoyt,	Mr. Rose, Sanderson, Scott, Sessions, Shaw, Simpson, Smith, Speed, Striker, Thompson, Van Aken,
--	---	---

Mr. Caplis,	Mr. Kellogg,	Mr. B. Walker,
Carter,	Kipp,	F. Walker,
Chafey,	Lewis,	J. Walker,
Climie,	Lockwood,	L. Walker,
Cobb,	Luce,	Walton,
Cook,	Markey,	Warren,
Curtis,	E. R. Miller,	C. W. Watkins,
Dinturff,	Mitchell,	E. C. Watkins,
Drake,	Morse,	Welch,
Drew,	Noyes,	Welker,
Edwards,	O'dell,	West,
Eggleston,	Perry,	Wheeler.
Ferguson,	Pierce,	Withington,
Fey,	Remer,	Wixson,
Garfield,	Rich,	Zimmerman,
Garvelink,	Ripley,	Speaker.
Gordon,	Robertson,	
	NAYS.	83

Mr. Greusel, 1

Title agreed to.

On motion of Mr. Bottomley,

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

House bill No. 116, entitled

A bill to amend an act entitled "An act to incorporate the village of Otsego," approved March 15th, 1865, and to add thereto one new section,

Was read a third time and passed, a majority of all the members elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Ackley,	Mr. Green,	Mr. Rose,
Armstrong	Greusel,	Sanderson,
Bailey,	Haire,	Scott,
Bartholomew,	Harris,	Sessions,
Bonine,	Haywood,	Shaw,
Bottomley,	Hewitt,	Simpson,
Breitung,	Hosner,	Smith,
Briggs,	Howard,	Speed,
Brunson,	Hoyt,	Striker,
Burns,	Kellogg,	Thomas,
Cady,	Kipp,	Van Aken,
Carter,	Lamb,	Van Scoy,

Mr. Chafey,	Mr. Lewis,	Mr. F. Walker,	
Climie,	Lockwood,	J. Walker,	
Cobb,	Luce,	L. Walker,	
Cook,	Markey,	Walton,	
Curtis,	E. R. Miller,	Warren,	
Dinturff,	Mitchell,	C. W. Watkins,	
Drake,	Morse,	E. C. Watkins,	
Drew,	O'Dell,	Welch,	
Edwards,	Perry,	Welker,	
Eggleston,	Pierce,	West,	
Ferguson,	Remer,	Wheeler,	
Fey,	Rich,	Withington,	
Garvelink,	Ripley,	Wixson,	
Gordon,	Robinson,	Zimmerman,	
Grant,	Robertson,	Speaker,	81
	NAYS.		0

Title agreed to.

On motion of Mr. C. W. Watkins.

By a vote of two-thirds of all the members elect, the bill was ordered to take immediate effect.

The House took up the order of

#### MESSAGES FROM THE SENATE.

The Speaker announced the following:

SENATE CHAMBER,  
*Lansing, February 27, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bills:

1. Senate bill No. 80, entitled

A bill to amend section 1 of act 216 of the session laws of 1867, entitled "An act to replat a portion of the village of St. Louis, and to authorize the recording of the same ;"

2. Senate bill No. 87, entitled

A bill to repeal an act entitled "An act making appropriations for the Michigan Asylum for the Insane, and to repeal sections 2 and 3 of act number 192 of the session laws of 1865, and amending section 5 of act No. 164 of the laws of 1859,"

approved March 26, 1867, being section 1957 of the compiled laws of 1871;

Which have passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The first named bill was read a first and second time by its title, and referred to the committee on municipal corporations.

The second named bill was read a first and second time by its title, and referred to the committee on Asylum for the Insane.

The Speaker also announced the following:

SENATE CHAMBER,  
*Lansing, Feb. 27, 1873.* }

*To the Speaker of the House of Representatives:*

SIR—I am instructed by the Senate to transmit the following bill:

Senate bill No. 143, entitled

A bill to annex South Saginaw and certain other territory to, and consolidate the same with, the city of East Saginaw;

Which has passed the Senate by a majority vote of all the Senators elect, and by a vote of two-thirds of all the Senators elect, been ordered to take immediate effect, and in all of which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES H. STONE,

*Secretary of the Senate.*

The bill was read a first and second time by its title, and referred to the committee on municipal corporations.

## MOTIONS AND RESOLUTIONS.

Mr. Noyes moved to take from the table House bill No. 52, entitled

A bill to amend an act entitled "An act for the protection of the rights of females," section 5524, compiled laws 1871, chapter 178 ;

Which motion prevailed.

On motion of Mr. Noyes,

The bill was placed on the order of third reading.

Mr. C. W. Watkins moved to reconsider the vote by which the House refused to pass House joint resolution No. 6, entitled

Joint resolution instructing the Board of State Auditors to make a settlement with Frederick A. Long ;

Which motion prevailed.

The question being on the passage of the joint resolution, pending the taking of the vote thereon,

The Speaker announced the hour for the

## SPECIAL ORDER.

On motion of Mr. Hoyt,

The House went into committee of the whole on the special order,

Mr. Scott in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report :

The committee of the whole have had under consideration the following entitled joint resolution :

House joint resolution No. 15, entitled

Joint resolution asking Congress to authorize the construction of bridges over the Detroit and St. Clair rivers ;

Have made no amendments thereto, and have directed their chairman to report the same back to the House, asking concurrence therein, and recommend its passage.

W. SCOTT, *Chairman.*

Report accepted and committee discharged.

The joint resolution was placed on the order of third reading.

The question recurring on the passage of House joint resolution No. 6, entitled

Joint resolution instructing the Board of State Auditors to make a settlement with Frederick A. Long ;

Mr. Shaw moved to amend the joint resolution by striking out the last three lines of the same ;

Which motion prevailed.

The joint resolution was then passed, a majority of all the members elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Ackley,	Mr. Gordon,	Mr. Sessions,
Armstrong,	Grant,	Shaw,
Bailey,	Green,	Simpson,
Bartholomew,	Haire,	Smith,
Bonine,	Haywood,	Speed,
Bottomley,	Hertzler,	Striker,
Breitung,	Hoar,	Thomas,
Briggs,	Hosner,	Thompson,
Bronson,	Howard,	Van Aken,
Burns,	Hoyt,	Van Scoy,
Cady,	Kellogg,	B. Walker,
Caplis,	Kipp,	F. Walker,
Carter,	Markey,	J. Walker,
Chafey,	E. R. Miller,	L. Walker,
Chamberlain,	Mitchell,	Walton,
Climie,	Noyes,	Warren,
Cobb,	O'Dell,	C. W. Watkins,
Cook,	Parsons,	E. C. Watkins,
Curtis,	Perry,	Welch,
Dinturff,	Remer,	Welker,
Drew,	Rich,	West,
Eggleston,	S. E. Robertson,	Wheeler,
Ferguson,	A. Robinson,	Withington,
Fey,	Rose,	Wixson,
Garfield,	Sanderson,	Zimmerman,
Garvelink,	Scott,	Speaker,
Gilmore,		

80

#### NAYS.

Mr. Pierce,

1

Title and preamble agreed to.



On motion of Mr. Shaw,

By a vote of two-thirds of all the members elect, the joint resolution was ordered to take immediate effect.

The committee on judiciary, leave being granted, reported as follows:

The committee on judiciary, to whom was referred House bill No. 161, entitled

A bill to amend section two of chapter 41, being section 1632 of the compiled laws of 1871, relative to the legal rate of interest on money,

Have had the same under consideration, and beg leave to submit the following:

Under the present laws of our State the legal rate of interest, in the absence of any express agreement relative to the same, is at the rate of seven dollars for one hundred dollars for a year, and at the same rate for a greater or less sum and for a longer or shorter time, except that in all cases it is lawful for parties to stipulate in writing for the payment of any rate of interest not exceeding ten per cent per annum. Your committee are of the opinion that the object in restricting the rate of interest was to protect poor and needy persons from becoming the victims of avaricious and pitiless money-lenders.

While your committee heartily sympathize with the object sought to be attained, they are by no means satisfied that such was or is the result, but on the contrary are led to believe that the tendency of this kind of legislation is to place those whom it is intended to protect at the mercy of the sharpers and money shavers. That it drives the honest and law-abiding money-lenders from the market, and leaves the borrower to appeal to the unscrupulous capitalist for such terms as he may be induced to grant. That it not only operates unfavorably to the borrower, but offers a premium for the violation and disregard of the deliberate enactments of the law-making power. Your committee are of the further opinion that the present usury laws upon our statute books are either

grossly evaded, or openly and deliberately violated, and that the cases wherein the laws are observed, are exceptions to the general rule. We desire also to call your attention to the fact that the persons evading or violating these laws are not law breakers in the ordinary and disreputable sense in which that word is used, but persons holding high and honorable positions in the communities in which they live, as brokers, bankers, and business men. We cannot forbear in this connection to express our belief that the constant violation of any law engenders and fosters a feeling of disrespect, not only for the particular law violated, but tends to lessen that high regard for the entire body of enactments upon our statute books which they should command, and to which the citizens of our State should extend their utmost respect. Particularly is this so when the first to violate them are those whom it might reasonably be expected would obey them with scrupulous fidelity. Your committee are also of the opinion that by far the greater number of persons are capable of judging what rate of interest they can afford to pay, quite as well as the State by its law-making power can decide for them. The use of money is undoubtedly worth more at one time than at another, and is of much more value to one person than another. Money can be profitably loaned for a long time at a lower rate of interest than for a short time, and we believe it is equally true that the security upon which money is loaned, does, and should have much to do with the rate of interest paid therefor.

It is therefore hard to conceive how an inflexible rule established by legislative enactment can be expected to promote the general welfare of the money borrowers or to deal justly with the money loaners. It seems to your committee that the value of the use of money should be regulated by the law of supply and demand, and that it is as unreasonable and unjustifiable to prescribe by legislative enactment what per cent an individual shall receive for the use of his money as it would be for the

same power to prescribe the price for which the products of the farm, the workshop, or the manufactory should be sold. The use of money, like the value of wheat, wool, corn, or other commodities, is worth what it will bring in the market, and all attempts to regulate it by legislative action will prove unavailing, as experience has abundantly shown. There may have existed at an earlier period in the history of our State an apparent necessity for some law regulating the price of the use of money, but it seems to your committee if ever that time existed it has fully expired, and the time has now arrived when the best interests of our people demand broader, more liberal, and more enlightened laws upon this subject.

The proposed law has been regarded of sufficient importance by your committee to give it such consideration as their time and opportunities have permitted. They have also communicated with several prominent bankers in regard to the wisdom of the proposed law, and beg leave to submit their views as communicated to us to your honorable body, as a part of this report. The bill under consideration provides that the interest on money shall be at the rate of seven dollars upon one hundred dollars for a year, and at the same rate for a greater or less sum, and for a longer or shorter time, except that in all cases it shall be lawful for the parties to stipulate in writing for the payment of *of any rate of interest*.

Your committee entertain the opinion that the provisions of this bill are eminently worthy of adoption, and therefore have instructed me to report it back to the House, without amendment, and with the recommendation that it do pass.

Your committee submit herewith the letters received from some of the bankers of this State, and appended hereto as appendices A to F:

A. D. GILMORE, *Acting Chairman*.

## [ APPENDIX A. ]

FIRST NATIONAL BANK, }  
*Hillsdale, Mich., Feb'y 15th, 1873.* }

*A. D. Gilmore, Esq.:*

DEAR SIR—Am in receipt of yours 13th inst.

I am of the opinion that the rate of interest in this State is as high as it should be.

Yours truly,

WM. WALDRON.

## [ APPENDIX B. ]

BANKING HOUSE OF DAVID PRESTON & Co., }  
*Detroit, February 10, 1873.* }

*Hon. A. D. Gilmore, Lansing, Michigan:*

DEAR SIR—Your favor of the 7th inst. received, contents noted. Almost every banker in the State loans money directly or indirectly at 7, 8, 10, 12, 15, 18, 20, and 24 per cent per annum, according to the demand and supply, and almost all business men pay these rates at times. I think it would be well to make any rate binding that is agreed upon in writing.

Yours truly,

DAVID PRESTON.

## [ APPENDIX C. ]

OFFICE OF THE MANSFIELD, COLDWATER AND }  
 LAKE MICHIGAN RAILROAD COMPANY, }  
*Coldwater, Mich., February 24, 1873.* }

*Hon. A. D. Gilmore:*

MY DEAR SIR—I read your letter that you put into my hands,—also the enclosed law, and should have answered it at once, but for the fact that I was called away to attend the funeral of a relative. I am decidedly in favor of the law, and ever have been. I think it much better for the borrower, also for the country generally, that money be like any other property; that it be put on the market and sell for what it is

worth—that is the case in our State now,—for the reason that our interest and usury laws are all of them a dead letter on the statute books, and I do not think it good policy to have laws that almost everybody is trying to evade.

With much respect,

I remain truly yours,

H. C. LEWIS.

[APPENDIX D.]

THE CITY NATIONAL BANK. }  
*Grand Rapids, Mich., Feb. 14, 1878.* }

*Hon. A. D. Gilmore :*

DEAR SIR—Yours of 13th with “bill” relative to interest on money received. For many years I have been of the opinion that the value of money should be left like other products, to be regulated by the law of supply and demand. There will be cases where it will operate hard upon men who have embarrassed themselves in business or speculative operations, but I am quite sure it will tend to check many schemes of doubtful business propriety if the projectors know the fact that in times of stringency there is no law between them and high rates for money. Law or no law, I notice that men disposed to take two per cent monthly contrive to get it for small amounts, just as pawnbrokers take any amount they choose to ask. The practices and necessities of these people, few in number as they are, ought not to influence the decision of the question. The current and well established rate for money for business purposes throughout the State, is from 7 to 10 per cent, mostly 10, and always that throughout that part of the State where business is active. I suppose it may be conceded that this rate is the result of our State law, fixing that as the highest legal rate, and the provisions of the national bank law that refers to it. Be that as it may, all our intelligent bankers know that 10 per cent is the highest rate that general busi-

ness will bear, and except in few instances will they attempt to obtain more. Their own best interests will require that they deal as liberally as possible with their customers; and in view of the rapid increase of the wealth of our people, I think the time has come when it will be well to make the trade in money free. It is so now, substantially, and inoperative laws had best be off the books.

Very respectfully,

THOS. D. GILBERT.

[APPENDIX E.]

DETROIT, Feb. 11, 1873.

*Hon. A. D. Gilmore :*

DEAR SIR—Your favor of the 8th inst., only reached me this morning. The object of the bill, to which you refer, is to withdraw the restrictions now thrown around the price of money in our State. The object sought to be obtained, in my opinion, is a wise one, and if attained, would, I have no doubt, largely promote the interests of our State, and, in the end, will surely reduce the price of money among us. Let the trade in money be free, is a doctrine which is growing rapidly in favor, and will soon generally prevail, bringing with it, as I believe it will, protection to the borrower. As it now is, the law is violated or evaded, and, for the odium thus incurred, the borrower has to pay. Remove the restriction, and you will introduce to the market new men and of more generous impulses than those who now occupy the ground, and carry on their business subject to the threats of a broken law.

Truly yours,

J. OWEN.

Massachusetts and Connecticut have, I think, recently passed such a law as you are considering.

J. O.

*Hon. A. D. Gilmore:*

I most respectfully concur in the opinion of Mr. Owen as expressed in the within letter.

JOHN J. BUSH,

*President Lansing National Bank.*

*Hon. A. D. Gilmore:*

I most cheerfully concur in the opinion expressed by Mr. J. Owen upon the subject of repealing the usury laws of this State. It is being done in all, or nearly all of the eastern States where the subject has been agitated for a number of years. They have repealed the law, and find the results to be most satisfactory to the general interest of the State.

LUTHER WESTOVER.

[ APPENDIX F. ]

MERCHANTS' BANK, }  
*Detroit, February 24, 1873.* }

*Hon. A. D. Gilmore:*

DEAR SIR—Your note of the 21st, with a copy of House bill 161, was received this morning. I have long been of the opinion that the price of money, as of all mercantile commodities, should be left to regulate itself. All attempts to fix by law the rate of interest have proved abortive.

In New York, where our largest transactions in money take place, and where the penalty for taking more than the legal rate of interest is the most severe, money is quoted, day after day, at from two to five times the legal rate. And what is true of New York is also true of any and every commercial city of the Union.

I know there are those who are fearful that in case our usury laws are repealed, money will advance in price, or in other words, will be loaned at higher rates than now; but experience has proved such fears to be groundless.

The State of Massachusetts abolished her usury laws some

years since, but interest is not as high in that State as in New York. I think several of the other States have also abolished their usury laws, though I cannot now name them.

I think our Legislature might just as well attempt to fix the price of a barrel of flour at five dollars, expecting to relieve all citizens from the necessity of paying more than that price, as to do what it is now attempting to do, by limiting the rate of interest to seven or ten per cent. Money, like flour, is sometimes worth a great deal more than it is at other times, and all the Legislatures that are now sitting, or that ever will sit, in council, cannot prevent it.

The more thought I have given to this subject, the more convinced I have become that the rate of interest should be regulated by the law of supply and demand.

The bill you sent me is somewhat different in its phraseology from the statute of Massachusetts, but I think will accomplish the object in view quite as well. Hoping the bill will become a law, I am

Yours very respectfully,

WM. A. BUTLER.

HON. A. D. GILMORE, Lansing.

Mr. Hoyt offered the following:

*Resolved*, That the committee on "rules and joint rules" be instructed to report such a substitute for rule 30 of this House as in their judgment shall provide for the putting of the previous question in the usual manner.

Mr. Briggs offered the following substitute:

*Resolved*. That the committee on rules and joint rules be instructed to report an amendment to rule 30 of the house, so that the rule shall conform to the practice in the House of Representatives of the National Congress;

Which was not agreed to.

The original resolution was then adopted.

Mr. Climie asked and obtained leave of absence for himself until Monday next.



Mr. Ripley, leave being granted, presented the following memorial :

At a meeting of the common council of the city of Saginaw, held at the council room February 26, 1873, Ald. Adams offered the following :

*Resolved*, That we learn with the deepest concern that the committee on municipal corporations, of which the Hon. J. J. Speed is chairman, has reported favorably on the bill cutting off territory in the northern part of our city, and attaching it to Carrolton ; that we protest with the greatest possible earnestness and candor against the passage of this bill ; that we believe it is calculated not only to disintegrate our territory, but to diminish our population, lessen our strength as a city, injure our character and standing before the public, and to place obstructions in the way of our growth and prosperity ; that until the introduction of this bill no complaint had ever been made to the common council of this city by any of the inhabitants of the territory sought to be cut off in respect to any treatment which they had received from the city or its common council, while the bill carries with it the implication, that injustice has been done to that portion of the city ; that the proposed legislation is peculiarly unjust to this city in being directly contrary to the legislation which is now going forward in respect to other cities in the State ;

*Resolved*, That we not only invite, but feel bound to insist upon a careful investigation of all the facts connected with this matter, by each member of the Legislature before he allows himself to vote in favor of a measure fraught with such danger and injustice to our city ;

*Resolved*, That certified copies of these resolutions be at once forwarded to the members of the Legislature from this county ;

Referred to the committee on municipal corporations.

Mr. Howard moved to take from the table

A bill to detach certain townships from the township of Har-

risville and attach the same to the township of Aloona, in the county of Alcona ;

Which motion prevailed.

On motion of Mr. Howard,

The bill was referred to the committee on towns and counties.

Mr. Remer asked and obtained leave of absence for the special committee on the Grand Trunk Railroad indefinitely.

Mr. Wheeler asked and obtained leave of absence for himself until Wednesday next.

Mr. Drake asked and obtained leave of absence for himself indefinitely on account of sickness.

Mr. Hertzler asked and obtained leave of absence for himself until Tuesday next.

Mr. Chamberlain moved to take from the table

A bill to amend an act entitled "An act to incorporate the village of St. Joseph," approved March 7, 1834, and the acts amendatory thereto ;

Which motion prevailed.

On motion of Mr. Chamberlain,

The bill was referred to the committee on municipal corporations.

#### GENERAL ORDER.

On motion of Mr. Grant,

The House went into committee of the whole on the general order,

Mr. Ferguson in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report :

The committee of the whole have had under consideration the following entitled bill :

Senate bill No. 11, entitled

A bill to extend aid to the University of Michigan, and to repeal an act entitled "An act to extend aid to the University

of Michigan," approved March 15, 1867, being sections 3506 and 3507 of the compiled laws of 1871;

Have made no amendment thereto, and have directed their chairman to report the same back to the House, asking concurrence therein and recommend its passage.

T. A. FERGUSON, *Chairman*.

Report accepted and committee discharged.

The bill was placed on the order of third reading.

On motion of Mr. Kipp,

The House adjourned.

*Lansing, Friday, February 28, 1873.*

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Bangs.

Roll called : quorum present.

Absent without leave, Mr. Parsons.

Mr. Gordon asked and obtained leave of absence for the special committee on the purchase of the picture of the "Trial of Red Jacket," until Monday.

Mr. Grant asked and obtained leave of absence for Mr. Priest until Tuesday next.

Mr. Sanderson asked and obtained leave of absence for Mr. Parsons indefinitely, on account of sickness.

Mr. Garfield asked and obtained leave of absence for himself until Tuesday next.

Mr. Kipp asked and obtained leave of absence until Wednesday.

Mr. Cook asked and obtained leave of absence until Monday.

Mr. Hosner asked and obtained leave of absence for the forenoon.

Mr. Welch asked and obtained leave of absence until Tuesday next.